

*Administrative Rules Stamp

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JAN 23 2003

**SECRETARY OF STATE
ADMINISTRATIVE RULES**

MATT BLUNT
Secretary of State
Administrative Rules Division
RULE TRANSMITTAL

A "SEPARATE" rule transmittal sheet must be used for EACH individual rulemaking.

A. Rule Number Chapter 4 CSR 240-3.130

Diskette File Name Orders of Rulemaking - Chapter 3 Word 2000

Name of Person to call with questions about this rule:

Content Cliff E. Snodgrass & Dale Johansen Phone 573-751-3966 FAX 573-751-9285

Data Entry Rosemarie Riedl Phone 573-751-7468 FAX Same as above

Email Address cliffsnodgrass@psc.state.mo.us or dalejohansen@psc.state.mo.us

Interagency Mailing Address Governor Office Building, 200 Madison St., 8th Floor, Jefferson City, MO

Statutory Authority 393.140(11), 386.250(6), 536.016(1) Current RSMo date 2000

Date Filed With the Joint Committee on Administrative Rules Exempt per Sections 536.024 and 536.037, RSMo 2000, and Executive Order No. 97-97 (June 27, 1997)

B. CHECK, IF INCLUDED:

- | | | | |
|-------------------------------------|-----------------------------|--------------------------|--|
| <input checked="" type="checkbox"/> | This transmittal completed | <input type="checkbox"/> | Incorporation by reference materials, if any |
| <input checked="" type="checkbox"/> | Cover letter | <input type="checkbox"/> | Authority with history of the rule |
| <input type="checkbox"/> | Affidavit | <input type="checkbox"/> | Public cost |
| <input type="checkbox"/> | Forms, number of pages ____ | <input type="checkbox"/> | Private cost |
| <input type="checkbox"/> | Fiscal notes | <input type="checkbox"/> | Hearing and comment period |

C. RULEMAKING ACTION TO BE TAKEN

- ☐ Emergency Rulemaking, (check one) ☐ rule ☐ amendment ☐ rescission ☐ termination
MUST include effective date _____
- ☐ Proposed Rulemaking (check one) ☐ rule ☐ amendment ☐ rescission
- ☒ Order of Rulemaking (check one) ☒ rule ☐ amendment ☐ rescission ☐ termination
MUST complete page 2 of this transmittal
- ☐ Withdrawal (check one) ☐ rule ☐ amendment ☐ rescission ☐ emergency
- ☐ Rule action notice
- ☐ In addition
- ☐ Rule under consideration

- D. SPECIFIC INSTRUCTIONS: Please indicate any special instructions (e.g., publication date preference, identify material to be incorporated by reference, or forms included herein).

JCAR Stamp

NOTE: ALL changes MUST be specified here in order for those changes to be made in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.

RULE TRANSMITTAL (PAGE 2)

E. ORDER OF RULEMAKING: Rule Number _____

1a. Effective Date for the Order

☒ Statutory 30 days

Specific date _____

1b. Does the Order of Rulemaking contain changes to the rule text?

☐ YES

☒ NO

1c. If the answer is YES, please complete section F. If the answer is NO, **STOP** here.

F. Please provide a complete list of the changes in the rule text for the order of rulemaking, indicating the specific section, subsection, paragraph, subparagraph, part, etc., where each change is found. It is especially important to identify the parts of the rule that are being deleted in this order of rulemaking. This is not a reprinting of your order, but an explanation of what sections, subsections, etc. have been changed since the original proposed rule was filed.

(Start text here. If text continues to a third page, insert a continuous section break and, in section 3, delete the footer text. DO NOT delete the header, however.)

NOTE: ALL changes MUST be specified here in order for those changes to be made in the rule as published in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.



Commissioners
KELVIN L. SIMMONS
Chair
CONNIE MURRAY
SHEILA LUMPE
STEVE GAW
BRYAN FORBIS

Missouri Public Service Commission

POST OFFICE BOX 360
JEFFERSON CITY, MISSOURI 65102
573-751-3234
573-751-1847 (Fax Number)
<http://www.psc.state.mo.us>
January 23, 2003

ROBERT J. QUINN, JR.
Executive Director
WESS A. HENDERSON
Director, Utility Operations
ROBERT SCHALLENBERG
Director, Utility Services
DONNA M. PRENGER
Director, Administration
DALE HARDY ROBERTS
Secretary/Chief Regulatory Law Judge
DANA K. JOYCE
General Counsel

Mr. Matt Blunt
Secretary of State
Administrative Rules Division
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Blunt,

RE: Chapter 4 CSR 240-3.130 - Filing Requirements for Applications for Approval of Electric Service Territorial Agreements

CERTIFICATION OF ADMINISTRATIVE RULE

I do hereby certify that the attached is an accurate and complete copy of the order rulemaking lawfully submitted by the Missouri Public Service Commission on this 23rd day of January 2003.

Statutory Authority: Sections 393.140(11), 386.250(6) and 536.016(1)

If there are any questions regarding the content of the rule, please contact:

Cliff E. Snodgrass
200 Madison Street, Suite 800
P. O. Box 360, Jefferson City, MO 65101
(573) 751-3966
cliffsnodgrass@psc.state.mo.us

Sincerely yours,

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

DHR:CES:rr

Enclosures: Transmittal Form, Order of Rulemaking & 3.5" Diskette

Title 4 – DEPARTMENT OF ECONOMIC DEVELOPMENT
Division 240 – Public Service Commission
Chapter 3 – Filing and Reporting Requirements

ORDER OF RULEMAKING

By the authority vested in the Missouri Public Service Commission under sections 386.250, 386.800 and 394.312, RSMo 2000, as currently supplemented, the commission adopts a rule as follows:

4 CSR 240-3.130 Filing Requirements for Applications for
Approval of Electric Service Territorial Agreements **is adopted.** —

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on September 16, 2002 (27 MoReg 1586). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

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~~ADMINISTRATIVE RULES~~

A “SEPARATE” rule transmittal sheet must be used for EACH individual rulemaking.

A. Rule Number <u>Chapter 4 CSR 240-3.135</u>			
Diskette File Name <u>Orders of Rulemaking - Chapter 3 Word 2000</u>			
Name of Person to call with questions about this rule:			
Content	<u>Cliff E. Snodgrass & Dale Johansen</u>	Phone	<u>573-751-3966</u> FAX <u>573-751-9285</u>
Data Entry	<u>Rosemarie Riedl</u>	Phone	<u>573-751-7468</u> FAX <u>Same as above</u>
Email Address <u>cliffsnodgrass@psc.state.mo.us or dalejohansen@psc.state.mo.us</u>			
Interagency Mailing Address <u>Governor Office Building, 200 Madison St., 8th Floor, Jefferson City, MO</u>			
Statutory Authority <u>393.140(11), 386.250(6), 536.016(1)</u>		Current RSMo date <u>2000</u>	
Date Filed With the Joint Committee on Administrative Rules <u>Exempt per Sections 536.024 and 536.037, RSMo 2000, and Executive Order No. 97-97 (June 27, 1997)</u>			

B. CHECK, IF INCLUDED:

- | | | | |
|-------------------------------------|-----------------------------|--------------------------|--|
| <input checked="" type="checkbox"/> | This transmittal completed | <input type="checkbox"/> | Incorporation by reference materials, if any |
| <input checked="" type="checkbox"/> | Cover letter | <input type="checkbox"/> | Authority with history of the rule |
| <input type="checkbox"/> | Affidavit | <input type="checkbox"/> | Public cost |
| <input type="checkbox"/> | Forms, number of pages ____ | <input type="checkbox"/> | Private cost |
| <input type="checkbox"/> | Fiscal notes | <input type="checkbox"/> | Hearing and comment period |

C. RULEMAKING ACTION TO BE TAKEN

- ☐ Emergency Rulemaking, (check one) ☐ rule ☐ amendment ☐ rescission ☐ termination
MUST include effective date _____
- ☐ Proposed Rulemaking (check one) ☐ rule ☐ amendment ☐ rescission
- ☒ Order of Rulemaking (check one) ☒ rule ☐ amendment ☐ rescission ☐ termination
MUST complete page 2 of this transmittal
- ☐ Withdrawal (check one) ☐ rule ☐ amendment ☐ rescission ☐ emergency
- ☐ Rule action notice
- ☐ In addition
- ☐ Rule under consideration

- D. **SPECIFIC INSTRUCTIONS:** Please indicate any special instructions (e.g., publication date preference, identify material to be incorporated by reference, or forms included herein).

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Add additional sheet(s), if more space is needed.

RULE TRANSMITTAL (PAGE 2)

E. ORDER OF RULEMAKING: Rule Number _____

1a. Effective Date for the Order

☒ Statutory 30 days

Specific date _____

1b. Does the Order of Rulemaking contain changes to the rule text?

☐ YES

☒ NO

1c. If the answer is YES, please complete section F. If the answer is NO, **STOP** here.

F. Please provide a complete list of the changes in the rule text for the order of rulemaking, indicating the specific section, subsection, paragraph, subparagraph, part, etc., where each change is found. It is especially important to identify the parts of the rule that are being deleted in this order of rulemaking. This is not a reprinting of your order, but an explanation of what sections, subsections, etc. have been changed since the original proposed rule was filed.

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Commissioners
KELVIN L. SIMMONS
Chair

CONNIE MURRAY

SHEILA LUMPE

STEVE GAW

BRYAN FORBIS

Missouri Public Service Commission

POST OFFICE BOX 360
JEFFERSON CITY, MISSOURI 65102 —
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573-751-1847 (Fax Number)
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Director, Utility Operations
ROBERT SCHALLENBERG
Director, Utility Services
DONNA M. PRENGER
Director, Administration
DALE HARDY ROBERTS
Secretary/Chief Regulatory Law Judge
DANA K. JOYCE
General Counsel

Mr. Matt Blunt
Secretary of State
Administrative Rules Division
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Blunt,

RE: Chapter 4 CSR 240-3.135 - Schedule of Fees Applicable to Applications for Approval of Electric Service Territorial Agreements, Petitions for Designation of Electric Service Areas And Applications for Resolution of Annexation-Related Disputes

CERTIFICATION OF ADMINISTRATIVE RULE

I do hereby certify that the attached is an accurate and complete copy of the order rulemaking lawfully submitted by the Missouri Public Service Commission on this 23rd day of January 2003.

Statutory Authority: Sections 393.140(11), 386.250(6) and 536.016(1)

If there are any questions regarding the content of the rule, please contact:

Cliff E. Snodgrass
200 Madison Street, Suite 800
P. O. Box 360, Jefferson City, MO 65101
(573) 751-3966
cliffsnodgrass@psc.state.mo.us

Sincerely yours,

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

DHR:CES:rr

Enclosures: Transmittal Form, Order of Rulemaking & 3.5" Diskette

**Title 4 – DEPARTMENT OF ECONOMIC DEVELOPMENT
Division 240 – Public Service Commission
Chapter 3 – Filing and Reporting Requirements**

ORDER OF RULEMAKING

By the authority vested in the Missouri Public Service Commission under sections 386.250, 386.800 and 394.312, RSMo 2000, as currently supplemented, the commission adopts a rule as follows:

4 CSR 240-3.135 Schedule of Fees Applicable to Applications for Approval of
Electric Service Territorial Agreements, Petitions for Designation of Electric Service
Areas and Applications for Resolution of Annexation-Related Disputes **is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on September 16, 2002 (27 MoReg 1586-1587). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

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Administrative Rules Division
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ADMINISTRATIVE RULES

A "SEPARATE" rule transmittal sheet must be used for EACH individual rulemaking.

A. Rule Number Chapter 4 CSR 240-3.140
 Diskette File Name Orders of Rulemaking - Chapter 3 Word 2000
 Name of Person to call with questions about this rule:
 Content Cliff E. Snodgrass & Dale Johansen Phone 573-751-3966 FAX 573-751-9285
 Data Entry Rosemarie Riedl Phone 573-751-7468 FAX Same as above
 Email Address cliffsnodgrass@psc.state.mo.us or dalejohansen@psc.state.mo.us
 Interagency Mailing Address Governor Office Building, 200 Madison St., 8th Floor, Jefferson City, MO
 Statutory Authority 393.140(11), 386.250(6), 536.016(1) Current RSMo date 2000
 Date Filed With the Joint Committee on Administrative Rules Exempt per Sections 536.024 and 536.037, RSMo 2000, and Executive Order No. 97-97 (June 27, 1997)

B. CHECK, IF INCLUDED:

- | | |
|--|---|
| <input checked="" type="checkbox"/> This transmittal completed | <input type="checkbox"/> Incorporation by reference materials, if any |
| <input checked="" type="checkbox"/> Cover letter | <input type="checkbox"/> Authority with history of the rule |
| <input type="checkbox"/> Affidavit | <input type="checkbox"/> Public cost |
| <input type="checkbox"/> Forms, number of pages _____ | <input type="checkbox"/> Private cost |
| <input type="checkbox"/> Fiscal notes | <input type="checkbox"/> Hearing and comment period |

C. RULEMAKING ACTION TO BE TAKEN

- ☐ Emergency Rulemaking, (check one) ☐ rule ☐ amendment ☐ rescission ☐ termination
MUST include effective date _____
- ☐ Proposed Rulemaking (check one) ☐ rule ☐ amendment ☐ rescission
- ☒ Order of Rulemaking (check one) ☒ rule ☐ amendment ☐ rescission ☐ termination
MUST complete page 2 of this transmittal
- ☐ Withdrawal (check one) ☐ rule ☐ amendment ☐ rescission ☐ emergency
- ☐ Rule action notice
- ☐ In addition
- ☐ Rule under consideration

D. SPECIFIC INSTRUCTIONS: Please indicate any special instructions (e.g., publication date preference, identify material to be incorporated by reference, or forms included herein).

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RULE TRANSMITTAL (PAGE 2)

E. ORDER OF RULEMAKING: Rule Number _____

1a. Effective Date for the Order

☒ Statutory 30 days

Specific date _____

1b. Does the Order of Rulemaking contain changes to the rule text? _____

☐ YES

☒ NO

1c. If the answer is YES, please complete section F. If the answer is NO, **STOP** here.

F. Please provide a complete list of the changes in the rule text for the order of rulemaking, indicating the specific section, subsection, paragraph, subparagraph, part, etc., where each change is found. It is especially important to identify the parts of the rule that are being deleted in this order of rulemaking. This is not a reprinting of your order, but an explanation of what sections, subsections, etc. have been changed since the original proposed rule was filed.

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Add additional sheet(s), if more space is needed.



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CONNIE MURRAY--
SHEILA LUMPE
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BRYAN FORBIS

Missouri Public Service Commission

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Director, Administration
DALE HARDY ROBERTS
Secretary/Chief Regulatory Law Judge
DANA K. JOYCE
General Counsel

Mr. Matt Blunt
Secretary of State
Administrative Rules Division
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Blunt,

RE: Chapter 4 CSR 240-3.140 - Filing Requirements for Applications for Authority for a Change of Electrical Suppliers

CERTIFICATION OF ADMINISTRATIVE RULE

I do hereby certify that the attached is an accurate and complete copy of the order rulemaking lawfully submitted by the Missouri Public Service Commission on this 23rd day of January 2003.

Statutory Authority: Sections 393.140(11), 386.250(6) and 536.016(1)

If there are any questions regarding the content of the rule, please contact:

Cliff E. Snodgrass
200 Madison Street, Suite 800
P. O. Box 360, Jefferson City, MO 65101
(573) 751-3966
cliffsnodgrass@psc.state.mo.us

Sincerely yours,

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

DHR:CES:rr

Enclosures: Transmittal Form, Order of Rulemaking & 3.5" Diskette

Title 4 – DEPARTMENT OF ECONOMIC DEVELOPMENT

Division 240 – Public Service Commission

Chapter 3 – Filing and Reporting Requirements

ORDER OF RULEMAKING

By the authority vested in the Missouri Public Service Commission under section 386.250, RSMo 2000, as currently supplemented, the commission adopts a rule as follows:

**4 CSR 240-3.140 Filing Requirements for Applications for
Authority for a Change of Electrical Suppliers is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on September 16, 2002 (27 MoReg 1587-1588). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

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ADMINISTRATIVE RULES**

A “SEPARATE” rule transmittal sheet must be used for EACH individual rulemaking.

A. Rule Number Chapter 4 CSR 240-3.145
 Diskette File Name Orders of Rulemaking - Chapter 3 Word 2000
 Name of Person to call with questions about this rule:
 Content Cliff E. Snodgrass & Dale Johansen Phone 573-751-3966 FAX 573-751-9285
 Data Entry Rosemarie Riedl Phone 573-751-7468 FAX Same as above
 Email Address cliffsnodgrass@psc.state.mo.us or dalejohansen@psc.state.mo.us
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 Statutory Authority 393.140(11), 386.250(6), 536.016(1) Current RSMo date 2000
 Date Filed With the Joint Committee on Administrative Rules Exempt per Sections 536.024 and
 536.037, RSMo 2000, and Executive Order No. 97-97 (June 27, 1997)

B. CHECK, IF INCLUDED:

- | | | | |
|-------------------------------------|-----------------------------|--------------------------|--|
| <input checked="" type="checkbox"/> | This transmittal completed | <input type="checkbox"/> | Incorporation by reference materials, if any |
| <input checked="" type="checkbox"/> | Cover letter | <input type="checkbox"/> | Authority with history of the rule |
| <input type="checkbox"/> | Affidavit | <input type="checkbox"/> | Public cost |
| <input type="checkbox"/> | Forms, number of pages ____ | <input type="checkbox"/> | Private cost |
| <input type="checkbox"/> | Fiscal notes | <input type="checkbox"/> | Hearing and comment period |

C. RULEMAKING ACTION TO BE TAKEN

- ☐ Emergency Rulemaking (check one) ☐ rule ☐ amendment ☐ rescission ☐ termination
MUST include effective date _____
☐ Proposed Rulemaking (check one) ☐ rule ☐ amendment ☐ rescission
☒ Order of Rulemaking (check one) ☒ rule ☐ amendment ☐ rescission ☐ termination
MUST complete page 2 of this transmittal
☐ Withdrawal (check one) ☐ rule ☐ amendment ☐ rescission ☐ emergency
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☐ In addition
☐ Rule under consideration

- D. **SPECIFIC INSTRUCTIONS:** Please indicate any special instructions (e.g., publication date preference, identify material to be incorporated by reference, or forms included herein).

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Add additional sheet(s), if more space is needed.

RULE TRANSMITTAL (PAGE 2)

E. ORDER OF RULEMAKING: Rule Number _____

1a. Effective Date for the Order

☒ Statutory 30 days

Specific date _____

1b. Does the Order of Rulemaking contain changes to the rule text?

☐ YES

☒ NO

1c. If the answer is YES, please complete section F. If the answer is NO, **STOP** here.

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DALE HARDY ROBERTS
Secretary/Chief Regulatory Law Judge
DANA K. JOYCE
General Counsel

Mr. Matt Blunt
Secretary of State
Administrative Rules Division
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Blunt,

RE: Chapter 4 CSR 240-3.145 - Filing Requirements for Electric Utility Rate Schedules

CERTIFICATION OF ADMINISTRATIVE RULE

I do hereby certify that the attached is an accurate and complete copy of the order rulemaking lawfully submitted by the Missouri Public Service Commission on this 23rd day of January 2003.

Statutory Authority: Sections 393.140(11), 386.250(6) and 536.016(1)

If there are any questions regarding the content of the rule, please contact:

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200 Madison Street, Suite 800
P. O. Box 360, Jefferson City, MO 65101
(573) 751-3966
cliffsnodgrass@psc.state.mo.us

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Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

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Enclosures: Transmittal Form, Order of Rulemaking & 3.5" Diskette

**Title 4 – DEPARTMENT OF ECONOMIC DEVELOPMENT
Division 240 – Public Service Commission
Chapter 3 – Filing and Reporting Requirements**

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ORDER OF RULEMAKING

**SECRETARY
ADMINISTRATIVE RULES**

By the authority vested in the Missouri Public Service Commission under sections 386.250 and 393.140, RSMo 2000, as currently supplemented, the commission adopts a rule as follows:

4 CSR 240-3.145 Filing Requirements for Electric Utility Rate Schedules is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on September 16, 2002 (27 MoReg 1588-1591). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

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MATT BLUNT
Secretary of State
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A. Rule Number Chapter 4 CSR 240-3.150
 Diskette File Name Orders of Rulemaking - Chapter 3 Word 2000
 Name of Person to call with questions about this rule:
 Content Cliff E. Snodgrass & Dale Johansen Phone 573-751-3966 FAX 573-751-9285
 Data Entry Rosemarie Riedl Phone 573-751-7468 FAX Same as above
 Email Address cliffsnodgrass@psc.state.mo.us or dalejohansen@psc.state.mo.us
 Interagency Mailing Address Governor Office Building, 200 Madison St., 8th Floor, Jefferson City, MO
 Statutory Authority 393.140(11), 386.250(6), 536.016(1) Current RSMo date 2000
 Date Filed With the Joint Committee on Administrative Rules Exempt per Sections 536.024 and 536.037, RSMo 2000, and Executive Order No. 97-97 (June 27, 1997)

B. CHECK, IF INCLUDED:

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| <input checked="" type="checkbox"/> This transmittal completed | <input type="checkbox"/> Incorporation by reference materials, if any |
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| <input type="checkbox"/> Forms, number of pages <u> </u> | <input type="checkbox"/> Private cost |
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C. RULEMAKING ACTION TO BE TAKEN

- ☐ Emergency Rulemaking, (check one) ☐ rule ☐ amendment ☐ rescission ☐ termination
MUST include effective date
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- ☐ Withdrawal (check one) ☐ rule ☐ amendment ☐ rescission ☐ emergency
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D. SPECIFIC INSTRUCTIONS: Please indicate any special instructions (e.g., publication date preference, identify material to be incorporated by reference, or forms included herein).

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Add additional sheet(s), if more space is needed.

RULE TRANSMITTAL (PAGE 2)

E. ORDER OF RULEMAKING: Rule Number _____

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☒ Statutory 30 days

Specific date _____

1b. Does the Order of Rulemaking contain changes to the rule text?

☐ YES

☒ NO

1c. If the answer is YES, please complete section F. If the answer is NO, **STOP** here.

F. Please provide a complete list of the changes in the rule text for the order of rulemaking, indicating the specific section, subsection, paragraph, subparagraph, part, etc., where each change is found. It is especially important to identify the parts of the rule that are being deleted in this order of rulemaking. This is not a reprinting of your order, but an explanation of what sections, subsections, etc. have been changed since the original proposed rule was filed.

(Start text here. If text continues to a third page, insert a continuous section break and, in section 3, delete the footer text. DO NOT delete the header, however.)

NOTE: ALL changes MUST be specified here in order for those changes to be made in the rule as published in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.



Commissioners
KELVIN L. SIMMONS
Chair
CONNIE MURRAY
SHEILA LUMPE
STEVE GAW
BRYAN FORBIS

Missouri Public Service Commission

POST OFFICE BOX 360
JEFFERSON CITY, MISSOURI 65102
573-751-3234
573-751-1847 (Fax Number)
<http://www.psc.state.mo.us>
January 23, 2003

ROBERT J. QUINN, JR.
Executive Director
WESS A. HENDERSON
Director, Utility Operations
ROBERT SCHALLENBERG
Director, Utility Services
DONNA M. PRENGER
Director, Administration
DALE HARDY ROBERTS
Secretary/Chief Regulatory Law Judge
DANA K. JOYCE
General Counsel

Mr. Matt Blunt
Secretary of State
Administrative Rules Division
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Blunt,

RE: Chapter 4 CSR 240-3.150 - Requirements for Electric Utility Promotional Practices

CERTIFICATION OF ADMINISTRATIVE RULE

I do hereby certify that the attached is an accurate and complete copy of the order rulemaking lawfully submitted by the Missouri Public Service Commission on this 23rd day of January 2003.

Statutory Authority: Sections 393.140(11), 386.250(6) and 536.016(1)

If there are any questions regarding the content of the rule, please contact:

Cliff E. Snodgrass
200 Madison Street, Suite 800
P. O. Box 360, Jefferson City, MO 65101
(573) 751-3966
cliffsnodgrass@psc.state.mo.us

Sincerely yours,

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

DHR:CES:rr

Enclosures: Transmittal Form, Order of Rulemaking & 3.5" Diskette

Title 4 – DEPARTMENT OF ECONOMIC DEVELOPMENT
Division 240 – Public Service Commission
Chapter 3 – Filing and Reporting Requirements

ORDER OF RULEMAKING

By the authority vested in the Missouri Public Service Commission under section 386.250, RSMo 2000, as currently supplemented, the commission adopts a rule as follows:

4 CSR 240-3.150 Filing Requirements for Electric Utility Promotional Practices is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on September 16, 2002 (27 MoReg 1591-1592). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

RECEIVED

JAN 23 2003

**SECRETARY OF
ADMINISTRATIVE HULLS**

RULE TRANSMITTAL (

RECEIVED
*Administrative Rules Stamp

JAN 23 2003

**SECRETARY OF STATE
ADMINISTRATIVE RULES**

MATT BLUNT
Secretary of State
Administrative Rules Division
RULE TRANSMITTAL

A "SEPARATE" rule transmittal sheet must be used for EACH individual rulemaking.

A. Rule Number Chapter 4 CSR 240-3.155
Diskette File Name Orders of Rulemaking - Chapter 3 Rules Word 2000
Name of Person to call with questions about this rule:
Content Cliff E. Snodgrass & Dale Johansen Phone 573-751-3966 FAX 573-751-9285
Data Entry Rosemarie Riedl Phone 573-751-7468 FAX Same as above
Email Address cliffsnodgrass@psc.state.mo.us or dalejohansen@psc.state.mo.us
Interagency Mailing Address Governor Office Building, 200 Madison St., 8th Floor, Jefferson City, MO
Statutory Authority 393.140(11), 386.250(6), 536.016(1) Current RSMo date 2000
Date Filed With the Joint Committee on Administrative Rules Exempt per Sections 536.024 and 536.037, RSMo 2000, and Executive Order No. 97-97 (June 27, 1997)

B. CHECK, IF INCLUDED:

- | | |
|--|---|
| <input checked="" type="checkbox"/> This transmittal completed | <input type="checkbox"/> Incorporation by reference materials, if any |
| <input checked="" type="checkbox"/> Cover letter | <input type="checkbox"/> Authority with history of the rule |
| <input type="checkbox"/> Affidavit | <input type="checkbox"/> Public cost |
| <input type="checkbox"/> Forms, number of pages <u> </u> | <input type="checkbox"/> Private cost |
| <input type="checkbox"/> Fiscal notes | <input type="checkbox"/> Hearing and comment period |

C. RULEMAKING ACTION TO BE TAKEN

- ☐ Emergency Rulemaking, (check one) ☐ rule ☐ amendment ☐ rescission ☐ termination
MUST include effective date
- ☐ Proposed Rulemaking (check one) ☐ rule ☐ amendment ☐ rescission
- ☒ Order of Rulemaking (check one) ☒ rule ☐ amendment ☐ rescission ☐ termination
MUST complete page 2 of this transmittal
- ☐ Withdrawal (check one) ☐ rule ☐ amendment ☐ rescission ☐ emergency
- ☐ Rule action notice
- ☐ In addition
- ☐ Rule under consideration

D. SPECIFIC INSTRUCTIONS: Please indicate any special instructions (e.g., publication date preference, identify material to be incorporated by reference, or forms included herein).

JCAR Stamp

NOTE: ALL changes MUST be specified here in order for those changes to be published in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.

RULE TRANSMITTAL (PAGE 2)

E. ORDER OF RULEMAKING: Rule Number _____

1a. Effective Date for the Order

☒ Statutory 30 days
Specific date _____

1b. Does the Order of Rulemaking contain changes to the rule text?

☒ YES ☐ NO

1c. If the answer is YES, please complete section F. If the answer is NO, **STOP** here.

F. Please provide a complete list of the changes in the rule text for the order of rulemaking, indicating the specific section, subsection, paragraph, subparagraph, part, etc., where each change is found. It is especially important to identify the parts of the rule that are being deleted in this order of rulemaking. This is not a reprinting of your order, but an explanation of what sections, subsections, etc. have been changed since the original proposed rule was filed.

(Start text here. If text continues to a third page, insert a continuous section break and, in section 3, delete the footer text. DO NOT delete the header, however.)

Summary of Changes for 3.155

The changes made to this proposed rule are the corrections of two internal rule references, one in subsection (5)(A) of the rule and one in paragraph (5)(A)1. of the rule. Specifically, the term "subparagraph" in subsection (5)(A) has been changed to "paragraph", and the reference to section (2) in paragraph (5)(A)1. has been changed to a reference to section (4).

NOTE: ALL changes MUST be specified here in order for those changes to be made in the rule as published in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.



Commissioners
KELVIN L. SIMMONS
Chair
CONNIE MURRAY
SHEILA LUMPE
STEVE GAW
BRYAN FORBIS

Missouri Public Service Commission

POST OFFICE BOX 360
JEFFERSON CITY, MISSOURI 65102
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January 23, 2003

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DALE HARDY ROBERTS
Secretary/Chief Regulatory Law Judge
DANA K. JOYCE
General Counsel

Mr. Matt Blunt
Secretary of State
Administrative Rules Division
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Blunt,

RE: Chapter 4 CSR 240-3.155 - Requirements for Electric Utility Cogeneration Tariff Filings

CERTIFICATION OF ADMINISTRATIVE RULE

I do hereby certify that the attached is an accurate and complete copy of the order rulemaking lawfully submitted by the Missouri Public Service Commission on this 23rd day of January 2003.

Statutory Authority: Sections 393.140(11), 386.250(6) and 536.016(1)

If there are any questions regarding the content of the rule, please contact:

Cliff E. Snodgrass
200 Madison Street, Suite 800
P. O. Box 360, Jefferson City, MO 65101
(573) 751-3966
cliffsnodgrass@psc.state.mo.us

Sincerely yours,

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

DHR:CES:rr

Enclosures: Transmittal Form, Order of Rulemaking & 3.5" Diskette

Title 4 – DEPARTMENT OF ECONOMIC DEVELOPMENT
Division 240 – Public Service Commission
Chapter 3 – Filing and Reporting Requirements

RECEIVED

JAN 23 2003

ORDER OF RULEMAKING

SECRETARY OF STATE
ADMINISTRATIVE RULES

By the authority vested in the Missouri Public Service Commission under sections 386.250 and 393.140, RSMo 2000, as currently supplemented, the commission adopts a rule as follows:

4 CSR 240-3.155 Requirements for Electric Utility Cogeneration Tariff Filings is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on September 16, 2002 (27 MoReg 1592-1593). Those sections with changes are reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The commission received written comments from one entity regarding this proposed rule. The comments focused on an apparent incorrect reference in the rule. The period for receiving written comments on this proposed rule ended on October 16, 2002. The commission held a public hearing on this proposed rule on October 25, 2002, but received no comments regarding the rule at that hearing.

COMMENTS: The entity that submitted comments regarding this proposed rule noted that an apparent error had been made in an internal rule reference contained in paragraph (5)(A)1. of the rule, and suggested that the reference to section (2) therein should be a reference to section (4).

RESPONSE AND EXPLANATION OF CHANGE: The comments correctly point out an error in the proposed rule and the commission is modifying paragraph (5)(A)1. of the proposed rule to correct that error. Additionally, the commission has identified an improper reference in subsection (5)(A) of the proposed rule and is also correcting that error.

4 CSR 240-3.155 Requirements for Electric Utility Cogeneration Tariff Filings

(5) Special Rule for Small Electric Utilities.

(A) Each electric utility (other than any electric utility to which paragraph (5)(A)2. applies) upon request shall—

1. Provide comparable data to that required under section (4) to enable qualifying facilities to estimate the electric utility's avoided costs for periods described in section (4); or

2. With regard to an electric utility which is legally obligated to obtain all its requirements for electric energy and capacity from another electric utility, provide the data of its supplying utility and the rates at which it currently purchases the energy and capacity.

RULE TRANSMITTAL

MATT BLUNT
Secretary of State
Administrative Rules Division
RULE TRANSMITTAL

*Administrative Rules Stamp

RECEIVED

JAN 23 2003

SECRETARY OF STATE
ADMINISTRATIVE RULES

A "SEPARATE" rule transmittal sheet must be used for EACH individual rulemaking.

A. Rule Number Chapter 4 CSR 240-3.160
 Diskette File Name Orders of Rulemaking - Chapter 3 Word 2000
 Name of Person to call with questions about this rule:
 Content Cliff E. Snodgrass & Dale Johansen Phone 573-751-3966 FAX 573-751-9285
 Data Entry Rosemarie Riedl Phone 573-751-7468 FAX Same as above
 Email Address cliffsnodgrass@psc.state.mo.us or dalejohansen@psc.state.mo.us
 Interagency Mailing Address Governor Office Building, 200 Madison St., 8th Floor, Jefferson City, MO
 Statutory Authority 393.140(11), 386.250(6), 536.016(1) Current RSMo date 2000
 Date Filed With the Joint Committee on Administrative Rules Exempt per Sections 536.024 and 536.037, RSMo 2000, and Executive Order No. 97-97 (June 27, 1997)

B. CHECK, IF INCLUDED:

- | | |
|--|---|
| <input checked="" type="checkbox"/> This transmittal completed | <input type="checkbox"/> Incorporation by reference materials, if any |
| <input checked="" type="checkbox"/> Cover letter | <input type="checkbox"/> Authority with history of the rule |
| <input type="checkbox"/> Affidavit | <input type="checkbox"/> Public cost |
| <input type="checkbox"/> Forms, number of pages <u> </u> | <input type="checkbox"/> Private cost |
| <input type="checkbox"/> Fiscal notes | <input type="checkbox"/> Hearing and comment period |

C. RULEMAKING ACTION TO BE TAKEN

- ☐ Emergency Rulemaking, (check one) ☐ rule ☐ amendment ☐ rescission ☐ termination
MUST include effective date
- ☐ Proposed Rulemaking (check one) ☐ rule ☐ amendment ☐ rescission
- ☒ Order of Rulemaking (check one) ☒ rule ☐ amendment ☐ rescission ☐ termination
MUST complete page 2 of this transmittal
- ☐ Withdrawal (check one) ☐ rule ☐ amendment ☐ rescission ☐ emergency
- ☐ Rule action notice
- ☐ In addition
- ☐ Rule under consideration

D. SPECIFIC INSTRUCTIONS: Please indicate any special instructions (e.g., publication date preference, identify material to be incorporated by reference, or forms included herein).

JCAR Stamp

NOTE: ALL changes MUST be specified here in order for those changes to be published in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.

RULE TRANSMITTAL (PAGE 2)

E. ORDER OF RULEMAKING: Rule Number _____

1a. Effective Date for the Order

☒ Statutory 30 days

Specific date _____

1b. Does the Order of Rulemaking contain changes to the rule text? _____

☐ YES

☒ NO

1c. If the answer is YES, please complete section F. If the answer is NO, **STOP** here.

F. Please provide a complete list of the changes in the rule text for the order of rulemaking, indicating the specific section, subsection, paragraph, subparagraph, part, etc., where each change is found. It is especially important to identify the parts of the rule that are being deleted in this order of rulemaking. This is not a reprinting of your order, but an explanation of what sections, subsections, etc. have been changed since the original proposed rule was filed.

(Start text here. If text continues to a third page, insert a continuous section break and, in section 3, delete the footer text. DO NOT delete the header, however.)

NOTE: ALL changes MUST be specified here in order for those changes to be made in the rule as published in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.



Commissioners
KELVIN L. SIMMONS
Chair
CONNIE MURRAY
SHEILA LUMPE
STEVE GAW
BRYAN FORBIS

Missouri Public Service Commission

POST OFFICE BOX 360
JEFFERSON CITY, MISSOURI 65102
573-751-3234
573-751-1847 (Fax Number)
<http://www.psc.state.mo.us>
January 23, 2003

ROBERT J. QUINN, JR.
Executive Director
WESS A. HENDERSON
Director, Utility Operations
ROBERT SCHALLENBERG
Director, Utility Services
DONNA M. PRENGER
Director, Administration
DALE HARDY ROBERTS
Secretary/Chief Regulatory Law Judge
DANA K. JOYCE
General Counsel

Mr. Matt Blunt
Secretary of State
Administrative Rules Division
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Blunt,

RE: Chapter 4 CSR 240-3.160 - Filing Requirements for Electric Utility General Rate Increase Requests

CERTIFICATION OF ADMINISTRATIVE RULE

I do hereby certify that the attached is an accurate and complete copy of the order rulemaking lawfully submitted by the Missouri Public Service Commission on this 23rd day of January 2003.

Statutory Authority: Sections 393.140(11), 386.250(6) and 536.016(1)

If there are any questions regarding the content of the rule, please contact:

Cliff E. Snodgrass
200 Madison Street, Suite 800
P. O. Box 360, Jefferson City, MO 65101
(573) 751-3966
cliffsnodgrass@psc.state.mo.us

Sincerely yours,

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

DHR:CES:rr

Enclosures: Transmittal Form, Order of Rulemaking & 3.5" Diskette

Title 4 – DEPARTMENT OF ECONOMIC DEVELOPMENT
Division 240 – Public Service Commission
Chapter 3 – Filing and Reporting Requirements

RECEIVED

JAN 23 2003

ORDER OF RULEMAKING

By the authority vested in the Missouri Public Service Commission under section 386.250, supplemented, the commission adopts a rule as follows:

SECRETARY OF STATE
ADMINISTRATIVE RULES

4 CSR 240-3.160 Filing Requirements for Electric Utility General Rate Increase Requests is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on September 16, 2002 (27 MoReg 1593). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The commission received written comments from one entity regarding this proposed rule. The comments focused on the title of the rule and a possible duplication of language in regard to another rule. The period for receiving written comments on this proposed rule ended on October 16, 2002. The commission held a public hearing on this proposed rule on October 25, 2002, but received no comments regarding the rule at that hearing.

COMMENTS: The entity that submitted comments regarding this proposed rule addressed two issues regarding the rule. First, the comments suggested that a better title for this rule could be found and/or that the requirements of this rule could be combined with the requirements of rule 3.030, which deals with the same general topic of filing requirements pertaining to general rate increases. The comments noted that the purpose section of this rule contains a cross-reference to rule 3.030, but that this is not believed sufficient. Second, the comments noted that there might be an unnecessary duplication of language in this rule and in rule 3.175.

RESPONSE: Regarding the title of this rule and the rule's relationship to rule 3.030, the commission notes that rule 3.030 contains filing requirements that apply to all regulated utilities and that this rule contains additional requirements that apply only to electric utilities. Accordingly, the commission believes that the title of this rule is appropriate and that the combination of this rule and 3.030 would not be appropriate. The commission also notes that rule 3.030 contains a cross-reference to this rule and that there should thus not be any confusion as to what is required of a utility that is filing a general rate increase request. Additionally, the commission notes that the title of this rule was selected in anticipation of additional requirements being added to this rule at a later date through an additional rulemaking. Regarding the possible duplication of language in this rule and rule 3.175, the commission notes that while these two rules deal with similar subjects, they deal with different situations and thus the referenced language is necessary in both rules. Based on the above, no changes have been made to the proposed rules as a result of these comments.

*Administrative Rules Stamp

MATT BLUNT
Secretary of State
Administrative Rules Division
RULE TRANSMITTAL

RECEIVED

JAN 23 2003

**SECRETARY OF STATE
ADMINISTRATIVE RULES**

A “SEPARATE” rule transmittal sheet must be used for EACH individual rulemaking.

A. Rule Number Chapter 4 CSR 240-3.165
 Diskette File Name Orders of Rulemaking - Chapter 3 Word 2000
 Name of Person to call with questions about this rule:
 Content Cliff E. Snodgrass & Dale Johansen Phone 573-751-3966 FAX 573-751-9285
 Data Entry Rosemarie Riedl Phone 573-751-7468 FAX Same as above
 Email Address cliffsnodgrass@psc.state.mo.us or dalejohansen@psc.state.mo.us
 Interagency Mailing Address Governor Office Building, 200 Madison St., 8th Floor, Jefferson City, MO
 Statutory Authority 393.140(11), 386.250(6), 536.016(1) Current RSMo date 2000
 Date Filed With the Joint Committee on Administrative Rules Exempt per Sections 536.024 and 536.037, RSMo 2000, and Executive Order No. 97-97 (June 27, 1997)

B. CHECK, IF INCLUDED:

- | | | | |
|-------------------------------------|-----------------------------|--------------------------|--|
| <input checked="" type="checkbox"/> | This transmittal completed | <input type="checkbox"/> | Incorporation by reference materials, if any |
| <input checked="" type="checkbox"/> | Cover letter | <input type="checkbox"/> | Authority with history of the rule |
| <input type="checkbox"/> | Affidavit | <input type="checkbox"/> | Public cost |
| <input type="checkbox"/> | Forms, number of pages ____ | <input type="checkbox"/> | Private cost |
| <input type="checkbox"/> | Fiscal notes | <input type="checkbox"/> | Hearing and comment period |

C. RULEMAKING ACTION TO BE TAKEN

- ☐ Emergency Rulemaking, (check one) ☐ rule ☐ amendment ☐ rescission ☐ termination
MUST include effective date _____
- ☐ Proposed Rulemaking (check one) ☐ rule ☐ amendment ☐ rescission
- ☒ Order of Rulemaking (check one) ☒ rule ☐ amendment ☐ rescission ☐ termination
MUST complete page 2 of this transmittal
- ☐ Withdrawal (check one) ☐ rule ☐ amendment ☐ rescission ☐ emergency
- ☐ Rule action notice
- ☐ In addition
- ☐ Rule under consideration

D. **SPECIFIC INSTRUCTIONS:** Please indicate any special instructions (e.g., publication date preference, identify material to be incorporated by reference, or forms included herein).

JCAR Stamp

NOTE: ALL changes MUST be specified here in order for those changes to be made in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.

RULE TRANSMITTAL (PAGE 2)

E. ORDER OF RULEMAKING: Rule Number _____

1a. Effective Date for the Order

☒ Statutory 30 days

Specific date _____

1b. Does the Order of Rulemaking contain changes to the rule text? _____

☐ YES

☒ NO

1c. If the answer is YES, please complete section F. If the answer is NO, **STOP** here.

F. Please provide a complete list of the changes in the rule text for the order of rulemaking, indicating the specific section, subsection, paragraph, subparagraph, part, etc., where each change is found. It is especially important to identify the parts of the rule that are being deleted in this order of rulemaking. This is not a reprinting of your order, but an explanation of what sections, subsections, etc. have been changed since the original proposed rule was filed.

(Start text here. If text continues to a third page, insert a continuous section break and, in section 3, delete the footer text. DO NOT delete the header, however.)

NOTE: ALL changes MUST be specified here in order for those changes to be made in the rule as published in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.



Commissioners
KELVIN L. SIMMONS
Chair
CONNIE MURRAY
SHEILA LUMPE
STEVE GAW
BRYAN FORBIS

Missouri Public Service Commission

POST OFFICE BOX 360
JEFFERSON CITY, MISSOURI 65102
573-751-3234
573-751-1847 (Fax Number)
<http://www.psc.state.mo.us>
January 23, 2003

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Executive Director
WESS A. HENDERSON
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Director, Administration
DALE HARDY ROBERTS
Secretary/Chief Regulatory Law Judge
DANA K. JOYCE
General Counsel

Mr. Matt Blunt
Secretary of State
Administrative Rules Division
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Blunt,

RE: Chapter 4 CSR 240-3.165 - Annual Report Filing Requirements for Electric Utilities

CERTIFICATION OF ADMINISTRATIVE RULE

I do hereby certify that the attached is an accurate and complete copy of the order rulemaking lawfully submitted by the Missouri Public Service Commission on this 23rd day of January 2003.

Statutory Authority: Sections 393.140(11), 386.250(6) and 536.016(1)

If there are any questions regarding the content of the rule, please contact:

Cliff E. Snodgrass
200 Madison Street, Suite 800
P. O. Box 360, Jefferson City, MO 65101
(573) 751-3966
cliffsnodgrass@psc.state.mo.us

Sincerely yours,

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

DHR:CES:rr
Enclosures: Transmittal Form, Order of Rulemaking & 3.5" Diskette

**Title 4 – DEPARTMENT OF ECONOMIC DEVELOPMENT
Division 240 – Public Service Commission
Chapter 3 – Filing and Reporting Requirements**

ORDER OF RULEMAKING

By the authority vested in the Missouri Public Service Commission under sections 386.250 and 393.140, RSMo 2000, as currently supplemented, the commission adopts a rule as follows:

4 CSR 240-3.165 Annual Report Filing Requirements for Electric Utilities is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on September 16, 2002 (27 MoReg 1593-1594). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

RECEIVED

JAN 23 2003

**SECRETARY OF STATE
ADMINISTRATIVE RULES**

*Administrative Rules Stamp

MATT BLUNT
Secretary of State
Administrative Rules Division
RULE TRANSMITTAL

RECEIVED

JAN 23 2003

SECRETARY OF STATE
ADMINISTRATIVE RULES

A "SEPARATE" rule transmittal sheet must be used for EACH individual rulemaking.

A. Rule Number Chapter 4 CSR 240-3.175
 Diskette File Name Orders of Rulemaking - Chapter 3 Word 2000
 Name of Person to call with questions about this rule:
 Content Cliff E. Snodgrass & Dale Johansen Phone 573-751-3966 FAX 573-751-9285
 Data Entry Rosemarie Riedl Phone 573-751-7468 FAX Same as above
 Email Address cliffsnodgrass@psc.state.mo.us or dalejohansen@psc.state.mo.us
 Interagency Mailing Address Governor Office Building, 200 Madison St., 8th Floor, Jefferson City, MO
 Statutory Authority 393.140(11), 386.250(6), 536.016(1) Current RSMo date 2000
 Date Filed With the Joint Committee on Administrative Rules Exempt per Sections 536.024 and
 536.037, RSMo 2000, and Executive Order No. 97-97 (June 27, 1997)

B. CHECK, IF INCLUDED:

- | | | | |
|-------------------------------------|-----------------------------|--------------------------|--|
| <input checked="" type="checkbox"/> | This transmittal completed | <input type="checkbox"/> | Incorporation by reference materials, if any |
| <input checked="" type="checkbox"/> | Cover letter | <input type="checkbox"/> | Authority with history of the rule |
| <input type="checkbox"/> | Affidavit | <input type="checkbox"/> | Public cost |
| <input type="checkbox"/> | Forms, number of pages ____ | <input type="checkbox"/> | Private cost |
| <input type="checkbox"/> | Fiscal notes | <input type="checkbox"/> | Hearing and comment period |

C. RULEMAKING ACTION TO BE TAKEN

- ☐ Emergency Rulemaking, (check one) ☐ rule ☐ amendment ☐ rescission ☐ termination
MUST include effective date _____
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- ☐ Rule action notice
- ☐ In addition
- ☐ Rule under consideration

- D. **SPECIFIC INSTRUCTIONS:** Please indicate any special instructions (e.g., publication date preference, identify material to be incorporated by reference, or forms included herein).

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Add additional sheet(s), if more space is needed.

RULE TRANSMITTAL (PAGE 2)

E. ORDER OF RULEMAKING: Rule Number _____

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☒ Statutory 30 days

Specific date _____

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☐ YES

☒ NO

1c. If the answer is YES, please complete section F. If the answer is NO, **STOP** here.

F. Please provide a complete list of the changes in the rule text for the order of rulemaking, indicating the specific section, subsection, paragraph, subparagraph, part, etc., where each change is found. It is especially important to identify the parts of the rule that are being deleted in this order of rulemaking. This is not a reprinting of your order, but an explanation of what sections, subsections, etc. have been changed since the original proposed rule was filed.

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NOTE: ALL changes MUST be specified here in order for those changes to be made in the rule as published in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.



Commissioners
KELVIN L. SIMMONS
Chair
CONNIE MURRAY
SHEILA LUMPE
STEVE GAW
BRYAN FORBIS

Missouri Public Service Commission

POST OFFICE BOX 360
JEFFERSON CITY, MISSOURI 65102
573-751-3234
573-751-1847 (Fax Number)
<http://www.psc.state.mo.us>
January 23, 2003

ROBERT J. QUINN, JR.
Executive Director
WESS A. HENDERSON
Director, Utility Operations
ROBERT SCHALLENBERG
Director, Utility Services
DONNA M. PRENGER
Director, Administration
DALE HARDY ROBERTS
Secretary/Chief Regulatory Law Judge
DANA K. JOYCE
General Counsel

Mr. Matt Blunt
Secretary of State
Administrative Rules Division
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Blunt,

**RE: Chapter 4 CSR 240-3.175 - Submission Requirements for Electric Utility
Deprecation Studies**

CERTIFICATION OF ADMINISTRATIVE RULE

I do hereby certify that the attached is an accurate and complete copy of the order rulemaking lawfully submitted by the Missouri Public Service Commission on this 23rd day of January 2003.

Statutory Authority: Sections 393.140(11), 386.250(6) and 536.016(1)

If there are any questions regarding the content of the rule, please contact:

Cliff E. Snodgrass
200 Madison Street, Suite 800
P. O. Box 360, Jefferson City, MO 65101
(573) 751-3966
cliffsnodgrass@psc.state.mo.us

Sincerely yours,

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

DHR:CES:rr

Enclosures: Transmittal Form, Order of Rulemaking & 3.5" Diskette

Title 4 – DEPARTMENT OF ECONOMIC DEVELOPMENT
Division 240 – Public Service Commission
Chapter 3 – Filing and Reporting Requirements

ORDER OF RULEMAKING

RECEIVED

JAN 23 2003

SECRETARY OF STATE
ADMINISTRATIVE RULES

By the authority vested in the Missouri Public Service Commission under section 386.250, RSMo 2000, as currently supplemented, the commission adopts a rule as follows:

4 CSR 240-3.175 Submission Requirements for Electric Utility Depreciation Studies is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on September 16, 2002 (27 MoReg 1594). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The commission received written comments from one entity regarding this proposed rule. The comments focused on a possible duplication of language in regard to another rule. The period for receiving written comments on this proposed rule ended on October 16, 2002. The commission held a public hearing on this proposed rule on October 25, 2002, but received no comments regarding the rule at that hearing.

COMMENTS: The entity that submitted comments on this proposed rule noted that there may an unnecessary duplication of language in this rule and in rule 3.160.

RESPONSE: The commission notes that while these two rules deal with similar subjects, they deal with different situations and thus the referenced language is necessary in both rules. Based on this, no changes have been made to the proposed rule as a result of these comments.

*Administrative Rules Stamp

MATT BLUNT
Secretary of State
Administrative Rules Division
RULE TRANSMITTAL

RECEIVED

JAN 23 2003

**SECRETARY OF STATE
ADMINISTRATIVE RULES**

A "SEPARATE" rule transmittal sheet must be used for EACH individual rulemaking.

A. Rule Number Chapter 4 CSR 240-3.180

Diskette File Name Orders of Rulemaking - Chapter 3 Word 2000

Name of Person to call with questions about this rule:

Content Cliff E. Snodgrass & Dale Johansen Phone 573-751-3966 FAX 573-751-9285

Data Entry Rosemarie Riedl Phone 573-751-7468 FAX Same as above

Email Address cliffsnodgrass@psc.state.mo.us or dalejohansen@psc.state.mo.us

Interagency Mailing Address Governor Office Building, 200 Madison St., 8th Floor, Jefferson City, MO

Statutory Authority 393.140(11), 386.250(6), 536.016(1) Current RSMo date 2000

Date Filed With the Joint Committee on Administrative Rules Exempt per Sections 536.024 and 536.037, RSMo 2000, and Executive Order No. 97-97 (June 27, 1997)

B. CHECK, IF INCLUDED:

- | | | | |
|-------------------------------------|-----------------------------|--------------------------|--|
| <input checked="" type="checkbox"/> | This transmittal completed | <input type="checkbox"/> | Incorporation by reference materials, if any |
| <input checked="" type="checkbox"/> | Cover letter | <input type="checkbox"/> | Authority with history of the rule |
| <input type="checkbox"/> | Affidavit | <input type="checkbox"/> | Public cost |
| <input type="checkbox"/> | Forms, number of pages ____ | <input type="checkbox"/> | Private cost |
| <input type="checkbox"/> | Fiscal notes | <input type="checkbox"/> | Hearing and comment period |

C. RULEMAKING ACTION TO BE TAKEN

- ☐ Emergency Rulemaking (check one) ☐ rule ☐ amendment ☐ rescission ☐ termination
MUST include effective date _____
- ☐ Proposed Rulemaking (check one) ☐ rule ☐ amendment ☐ rescission
- ☒ Order of Rulemaking (check one) ☒ rule ☐ amendment ☐ rescission ☐ termination
MUST complete page 2 of this transmittal
- ☐ Withdrawal (check one) ☐ rule ☐ amendment ☐ rescission ☐ emergency
- ☐ Rule action notice
- ☐ In addition
- ☐ Rule under consideration

D. **SPECIFIC INSTRUCTIONS:** Please indicate any special instructions (e.g., publication date preference, identify material to be incorporated by reference, or forms included herein).

JCAR Stamp

NOTE: ALL changes MUST be specified here in order for those change
in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.

RULE TRANSMITTAL (PAGE 2)

E. ORDER OF RULEMAKING: Rule Number _____

1a. Effective Date for the Order

☒ Statutory 30 days

Specific date _____

1b. Does the Order of Rulemaking contain changes to the rule text?

☐ YES

☒ NO

1c. If the answer is YES, please complete section F. If the answer is NO, **STOP** here.

F. Please provide a complete list of the changes in the rule text for the order of rulemaking, indicating the specific section, subsection, paragraph, subparagraph, part, etc., where each change is found. It is especially important to identify the parts of the rule that are being deleted in this order of rulemaking. This is not a reprinting of your order, but an explanation of what sections, subsections, etc. have been changed since the original proposed rule was filed.

(Start text here. If text continues to a third page, insert a continuous section break and, in section 3, delete the footer text. DO NOT delete the header, however.)

NOTE: ALL changes MUST be specified here in order for those changes to be made in the rule as published in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.



Commissioners
KELVIN L. SIMMONS
Chair
CONNIE MURRAY
SHEILA LUMPE
STEVE GAW
BRYAN FORBIS

Missouri Public Service Commission

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Secretary/Chief Regulatory Law Judge
DANA K. JOYCE
General Counsel

Mr. Matt Blunt
Secretary of State
Administrative Rules Division
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Blunt,

RE: Chapter 4 CSR 240-3.180 - Submission of Electric Utility Residential Heat-Related Service Cold Weather Report

CERTIFICATION OF ADMINISTRATIVE RULE

I do hereby certify that the attached is an accurate and complete copy of the order rulemaking lawfully submitted by the Missouri Public Service Commission on this 23rd day of January 2003.

Statutory Authority: Sections 393.140(11), 386.250(6) and 536.016(1)

If there are any questions regarding the content of the rule, please contact:

Cliff E. Snodgrass
200 Madison Street, Suite 800
P. O. Box 360, Jefferson City, MO 65101
(573) 751-3966
cliffsnodgrass@psc.state.mo.us

Sincerely yours,

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

DHR:CES:rr

Enclosures: Transmittal Form, Order of Rulemaking & 3.5" Diskette

**Title 4 – DEPARTMENT OF ECONOMIC DEVELOPMENT
Division 240 – Public Service Commission
Chapter 3 – Filing and Reporting Requirements**

ORDER OF RULEMAKING

By the authority vested in the Missouri Public Service Commission under section 386.250, RSMo 2000, as currently supplemented, the commission adopts a rule as follows:

4 CSR 240-3.180 Submission of Electric Utility Residential Heat-Related Service Cold Weather Report is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on September 16, 2002 (27 MoReg 1594-1595). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

RECEIVED

JAN 23 2003

**SECRETARY OF STATE
ADMINISTRATIVE RULES**

RULE TRANSMITTAL (

MATT BLUNT
Secretary of State
Administrative Rules Division
RULE TRANSMITTAL

*Administrative Rules Stamp

RECEIVED

JAN 23 2003

SECRETARY OF STATE
ADMINISTRATIVE RULES

A "SEPARATE" rule transmittal sheet must be used for EACH individual rulemaking.

A. Rule Number Chapter 4 CSR 240-3.185
 Diskette File Name Orders of Rulemaking - Chapter 3 Word 2000
 Name of Person to call with questions about this rule:
 Content Cliff E. Snodgrass & Dale Johansen Phone 573-751-3966 FAX 573-751-9285
 Data Entry Rosemarie Riedl Phone 573-751-7468 FAX Same as above
 Email Address cliffsnodgrass@psc.state.mo.us or dalejohansen@psc.state.mo.us
 Interagency Mailing Address Governor Office Building, 200 Madison St., 8th Floor, Jefferson City, MO
 Statutory Authority 393.140(11), 386.250(6), 536.016(1) Current RSMo date 2000
 Date Filed With the Joint Committee on Administrative Rules Exempt per Sections 536.024 and 536.037, RSMo 2000, and Executive Order No. 97-97 (June 27, 1997)

B. CHECK, IF INCLUDED:

- | | |
|--|---|
| <input checked="" type="checkbox"/> This transmittal completed | <input type="checkbox"/> Incorporation by reference materials, if any |
| <input checked="" type="checkbox"/> Cover letter | <input type="checkbox"/> Authority with history of the rule |
| <input type="checkbox"/> Affidavit | <input type="checkbox"/> Public cost |
| <input type="checkbox"/> Forms, number of pages <u> </u> | <input type="checkbox"/> Private cost |
| <input type="checkbox"/> Fiscal notes | <input type="checkbox"/> Hearing and comment period |

C. RULEMAKING ACTION TO BE TAKEN

- ☐ Emergency Rulemaking, (check one) ☐ rule ☐ amendment ☐ rescission ☐ termination
MUST include effective date
- ☐ Proposed Rulemaking (check one) ☐ rule ☐ amendment ☐ rescission
- ☒ Order of Rulemaking (check one) ☒ rule ☐ amendment ☐ rescission ☐ termination
MUST complete page 2 of this transmittal
- ☐ Withdrawal (check one) ☐ rule ☐ amendment ☐ rescission ☐ emergency
- ☐ Rule action notice
- ☐ In addition
- ☐ Rule under consideration

D. SPECIFIC INSTRUCTIONS: Please indicate any special instructions (e.g., publication date preference, identify material to be incorporated by reference, or forms included herein).

JCAR Stamp

NOTE: ALL changes MUST be specified here in order for those changes to be published in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.

RULE TRANSMITTAL (PAGE 2)

E. ORDER OF RULEMAKING: Rule Number _____

1a. Effective Date for the Order

☒ Statutory 30 days

Specific date _____

1b. Does the Order of Rulemaking contain changes to the rule text?

☐ YES

☒ NO

1c. If the answer is YES, please complete section F. If the answer is NO, **STOP** here.

F. Please provide a complete list of the changes in the rule text for the order of rulemaking, indicating the specific section, subsection, paragraph, subparagraph, part, etc., where each change is found. It is especially important to identify the parts of the rule that are being deleted in this order of rulemaking. This is not a reprinting of your order, but an explanation of what sections, subsections, etc. have been changed since the original proposed rule was filed.

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Add additional sheet(s), if more space is needed.



Commissioners
KELVIN L. SIMMONS
Chair
CONNIE MURRAY
SHEILA LUMPE
STEVE GAW
BRYAN FORBIS

Missouri Public Service Commission

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Secretary/Chief Regulatory Law Judge
DANA K. JOYCE
General Counsel

Mr. Matt Blunt
Secretary of State
Administrative Rules Division
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Blunt,

**RE: Chapter 4 CSR 240-3.185 - Submission of Reports Pertaining to the
Decommissioning of Electric Utility Plants**

CERTIFICATION OF ADMINISTRATIVE RULE

I do hereby certify that the attached is an accurate and complete copy of the order rulemaking lawfully submitted by the Missouri Public Service Commission on this 23rd day of January 2003.

Statutory Authority: Sections 393.140(11), 386.250(6) and 536.016(1)

If there are any questions regarding the content of the rule, please contact:

Cliff E. Snodgrass
200 Madison Street, Suite 800
P. O. Box 360, Jefferson City, MO 65101
(573) 751-3966
cliffsnodgrass@psc.state.mo.us

Sincerely yours,

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

DHR:CES:rr

Enclosures: Transmittal Form, Order of Rulemaking & 3.5" Diskette

**Title 4 – DEPARTMENT OF ECONOMIC DEVELOPMENT
Division 240 – Public Service Commission
Chapter 3 – Filing and Reporting Requirements**

ORDER OF RULEMAKING

By the authority vested in the Missouri Public Service Commission under sections 386.250 and 393.292, RSMo 2000, as currently supplemented, the commission adopts a rule as follows:

4 CSR 240-3.185 Submission of Reports Pertaining to the Decommissioning of Electric Utility Plants **is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on September 16, 2002 (27 MoReg 1595-1596). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

RECEIVED

JAN 23 2003

**SECRETARY OF COMMERCE
ADMINISTRATIVE RULES**

RULE TRANSMITTAL (

MATT BLUNT
Secretary of State
Administrative Rules Division
RULE TRANSMITTAL

*Administrative Rules Stamp

RECEIVED

JAN 23 2003

SECRETARY OF STATE
ADMINISTRATIVE RULES

A "SEPARATE" rule transmittal sheet must be used for EACH individual rulemaking.

A. Rule Number Chapter 4 CSR 240-3.200
 Diskette File Name Orders of Rulemaking - Chapter 3 Rules Word 2000
 Name of Person to call with questions about this rule:
 Content Cliff E. Snodgrass & Dale Johansen Phone 573-751-3966 FAX 573-751-9285
 Data Entry Rosemarie Riedl Phone 573-751-7468 FAX Same as above
 Email Address cliffsnodgrass@psc.state.mo.us or dalejohansen@psc.state.mo.us
 Interagency Mailing Address Governor Office Building, 200 Madison St., 8th Floor, Jefferson City, MO
 Statutory Authority 393.140(11), 386.250(6), 536.016(1) Current RSMo date 2000
 Date Filed With the Joint Committee on Administrative Rules Exempt per Sections 536.024 and 536.037, RSMo 2000, and Executive Order No. 97-97 (June 27, 1997)

B. CHECK, IF INCLUDED:

- | | |
|--|---|
| <input checked="" type="checkbox"/> This transmittal completed | <input type="checkbox"/> Incorporation by reference materials, if any |
| <input checked="" type="checkbox"/> Cover letter | <input type="checkbox"/> Authority with history of the rule |
| <input type="checkbox"/> Affidavit | <input type="checkbox"/> Public cost |
| <input type="checkbox"/> Forms, number of pages <u> </u> | <input type="checkbox"/> Private cost |
| <input type="checkbox"/> Fiscal notes | <input type="checkbox"/> Hearing and comment period |

C. RULEMAKING ACTION TO BE TAKEN

- ☐ Emergency Rulemaking, (check one) ☐ rule ☐ amendment ☐ rescission ☐ termination
MUST include effective date
☐ Proposed Rulemaking (check one) ☐ rule ☐ amendment ☐ rescission
☒ Order of Rulemaking (check one) ☒ rule ☐ amendment ☐ rescission ☐ termination
MUST complete page 2 of this transmittal
☐ Withdrawal (check one) ☐ rule ☐ amendment ☐ rescission ☐ emergency
☐ Rule action notice
☐ In addition
☐ Rule under consideration

D. SPECIFIC INSTRUCTIONS: Please indicate any special instructions (e.g., publication date preference, identify material to be incorporated by reference, or forms included herein).

JCAR Stamp

NOTE: ALL changes MUST be specified here in order for those changes to be published in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.

RULE TRANSMITTAL (PAGE 2)

E. ORDER OF RULEMAKING: Rule Number _____

1a. Effective Date for the Order

☒ Statutory 30 days

Specific date _____

1b. Does the Order of Rulemaking contain changes to the rule text?

☒ YES

☐ NO

1c. If the answer is YES, please complete section F. If the answer is NO, **STOP** here.

F. Please provide a complete list of the changes in the rule text for the order of rulemaking, indicating the specific section, subsection, paragraph, subparagraph, part, etc., where each change is found. It is especially important to identify the parts of the rule that are being deleted in this order of rulemaking. This is not a reprinting of your order, but an explanation of what sections, subsections, etc. have been changed since the original proposed rule was filed.

(Start text here. If text continues to a third page, insert a continuous section break and, in section 3, delete the footer text. DO NOT delete the header, however.)

Summary of Changes for 3.200

This rule has been modified to delete two definitions originally included in the rule. Specifically, the definitions of affiliated entity and affiliate transaction, which were originally included as sections (2) and (3), respectively, have been deleted. Accordingly, this required a renumbering of the remaining sections of the rule. This rule originally consisted of sections (1) thru (21), but now consists of sections (1) thru (19).

NOTE: ALL changes MUST be specified here in order for those changes to be made in the rule as published in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.



Commissioners
KELVIN L. SIMMONS
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CONNIE MURRAY
SHEILA LUMPE
STEVE GAW
BRYAN FORBIS

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Secretary/Chief Regulatory Law Judge
DANA K. JOYCE
General Counsel

Mr. Matt Blunt
Secretary of State
Administrative Rules Division
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Blunt,

RE: Chapter 4 CSR 240-3.200 - Definitions Pertaining Specifically to Gas Utility Rules

CERTIFICATION OF ADMINISTRATIVE RULE

I do hereby certify that the attached is an accurate and complete copy of the order rulemaking lawfully submitted by the Missouri Public Service Commission on this 23rd day of January 2003.

Statutory Authority: Sections 393.140(11), 386.250(6) and 536.016(1)

If there are any questions regarding the content of the rule, please contact:

Cliff E. Snodgrass
200 Madison Street, Suite 800
P. O. Box 360, Jefferson City, MO 65101
(573) 751-3966
cliffsnodgrass@psc.state.mo.us

Sincerely yours,

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

DHR:CES:rr
Enclosures: Transmittal Form, Order of Rulemaking & 3.5" Diskette

Title 4 – DEPARTMENT OF ECONOMIC DEVELOPMENT
Division 240 – Public Service Commission
Chapter 3 – Filing and Reporting Requirements

RECEIVED

JAN 23 2003

SECRETARY OF STATE
ADMINISTRATIVE RULES

ORDER OF RULEMAKING

By the authority vested in the Missouri Public Service Commission under section 386.250, RSMo 2000, as currently supplemented, the commission adopts a rule as follows:

4 CSR 240-3.200 Definitions Pertaining Specifically to Gas Utility Rules is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on September 16, 2002 (27 MoReg 1597-1599). Those sections with changes are reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The commission received written comments from two entities regarding this proposed rule. The comments focused on the inclusions of definitions for terms that are not used in other rules. The period for receiving written comments on this proposed rule ended on October 16, 2002. The commission held a public hearing on this proposed rule on October 25, 2002, but received no comments regarding the rule at that hearing.

COMMENTS: The first entity that submitted comments regarding this proposed rule noted that the rule contains the definitions of certain terms used in rules 3.205 thru 3.295, but that five of the terms defined in this rule are not actually used in those rules. Because of this, it was suggested that any terms not used in rules 3.205 thru 3.295 should be removed from this rule to avoid confusion. Specifically, the comments suggested that the following definitions should be removed from the proposed rule: (1) Affiliate; (2) Affiliated entity; (3) Affiliate transaction; (6) Control; and (20) Transportation of gas.

RESPONSE AND EXPLANATION OF CHANGE: The commission notes that it agrees with the suggestion that any unused definitions should be removed from the proposed rule. The commission also notes, however, that the terms affiliate, control and transportation of gas are used in other definitions in rule 3.200 and/or in certain rules in the 3.205 thru 3.295 "block" of rules. As a result, the definitions of those terms will not be removed as suggested. Based on the above, the Commission is removing the unused definitions from the proposed rule and renumbering the remaining definitions accordingly.

COMMENTS: The second entity that submitted comments regarding this proposed rule noted that the rule contains the definitions of certain terms that are not actually used in other rules, and suggested that the definition of any term that is not used in other rules should be removed from this rule. Specifically, the comments suggested that the definitions of terms such as affiliate, affiliated entity, affiliate transaction and control be removed.

RESPONSE AND EXPLANATION OF CHANGE: The commission notes that it agrees with the suggestion that any unused definitions should be removed from the proposed rule. The commission also notes, however, that the terms affiliate and control are used in other definitions in rule 3.200 and/or in certain rules in the 3.205 thru 3.295 "block" of rules. As a result, the definitions of those terms will not be removed as suggested. Based on the above, the commission is removing the unused definitions from the proposed rule and renumbering the remaining definitions accordingly.

4 CSR 240-3.200 Definitions Pertaining Specifically to Gas Utility Rules

- (1) Affiliate means any person who, directly or indirectly, controls or is controlled by or is under common control with a gas utility.
- (2) Appliance or equipment means any device which consumes gas energy and any ancillary device required for its operation.
- (3) Consideration shall be interpreted in its broadest sense and shall include any cash, donation, gift, allowance, rebate, discount, bonus, merchandise (new or used), property (real or personal), labor, service, conveyance, commitment, right or other thing of value.

(4) Control (including the terms "controlling," "controlled by," and "common control") means the possession, directly or indirectly, of the power to direct, or to cause the direction of the management or policies of an entity, whether such power is exercised through one (1) or more intermediary entities, or alone, or in conjunction with, or pursuant to an agreement with, one or more other entities, whether such power is exercised through a majority or minority ownership or voting of securities, common directors, officers or stockholders, voting trusts, holding trusts, affiliated entities, contract or any other direct or indirect means. The commission shall presume that the beneficial ownership of ten percent (10%) or more of voting securities or partnership interest of an entity constitutes control for purposes of this rule. This provision, however, shall not be construed to prohibit a regulated gas corporation from rebutting the presumption that its ownership interest in an entity confers control.

(5) Cost-effective means that the present value of life-cycle benefits is greater than the present value of life-cycle costs to the provider of an energy service.

(6) Demand-side resource means any inefficient energy-related choice that can be influenced cost-effectively by a utility. The meaning of this term shall not be construed to include load-building program.

(7) Designated commission personnel means the commission's Pipeline Safety Program Manager at the address contained in 4 CSR 240-40.020(5) for written reports and the list of staff personnel supplied to the operators for telephonic notices, both as are required by 4 CSR 240-40.020.

(8) Gas means natural gas, flammable gas, manufactured gas or gas which is toxic or corrosive.

(9) Gas seller means any person who uses, leases, or controls the distribution system of a distributor or a political subdivision or any part thereof to sell energy services at retail within a political subdivision, other than a distributor or a political subdivision.

(10) Inefficient energy-related choice means any decision that causes the life-cycle cost of providing an energy service to be higher than it would be for an available alternative choice.

(11) Load-building program means an organized promotional effort by a utility to persuade energy-related decision makers to choose the form of energy supplied by that utility instead of other forms of energy for the provision of energy service or to persuade customers to increase their use of that utility's form of energy, either by substituting it for other forms of energy or by increasing the level or variety of energy services used. This term is not intended to include the provision of technical or engineering assistance, information about filed rates and tariffs or other forms of routine customer service.

(12) Operator means a person who engages in the transportation of gas.

(13) Pipeline or pipeline system means all parts of those physical facilities through which gas moves in transportation including, but not limited to, pipe, valves and other appurtenances attached to pipe, compressor units, metering stations, regulator stations, delivery stations, holders and fabricated assemblies.

(14) Pipeline facility means new and existing pipeline, rights-of-way and any equipment, facility or building used in the transportation of gas or in the treatment of gas during the course of transportation.

(15) Promotional practices means any consideration offered or granted by a gas utility or its affiliate to any person for the purpose, express or implied, of inducing the person to select and use the service or use additional service of the utility or to select or install any appliance or equipment designed to use the utility service, or for the purpose of influencing the person's choice or specification of the efficiency characteristics of appliances, equipment, buildings, utilization patterns or operating procedures. The term promotional practices shall not include the following activities:

(A) Making any emergency repairs to appliances or equipment of customers;

(B) Providing appliances or equipment incidental to demonstrations of sixty (60) days or less in duration;

(C) Providing light bulbs, street or outdoor lighting service, wiring, service pipe or other service equipment or appliances, in accordance with tariffs filed with and approved by the commission;

(D) Providing appliances or equipment to an educational institution for the purpose of instructing students in the use of the appliances or equipment;

3 (E) Merchandising appliances or equipment at retail and, in connection therewith, the holding of inventories, making and fulfillment of reasonable warranties against defects in material and workmanship existing at the time of delivery and financing; provided that the merchandising shall not violate any prohibition contained in 4 CSR 240-14.020;

(F) Inspecting and adjusting of appliances or equipment by a gas utility;

(G) Repairing and other maintenance to appliances or equipment by a gas utility if charges are at cost or above;

(H) Providing free or below-cost energy audits or other information or analysis regarding the feasibility and cost-effectiveness of improvements in the efficiency characteristics of appliances, equipment, buildings, utilization patterns or operating procedures;

(I) Offering to present or prospective customers by a gas utility technical or engineering assistance; and

(J) Advertising or publicity by a gas utility which is under its name and on its behalf and which does not in any manner, directly or indirectly, identify, describe, refer to, mention or relate to any architect, builder, engineer, subdivider, developer or other similar person, or which mentions no less than three (3) existing projects, developments or subdivisions.

(16) Service line means a distribution line that transports gas from a common source of supply to a) a customer meter or the connection to a customer's piping, whichever is farther downstream, or b) the connection to a customer's piping if there is no customer meter. A customer meter is the meter that measures the transfer of gas from an operator to a consumer.

(17) Transmission line means a pipeline, other than a gathering line, that:

(A) Transports gas from a gathering line or storage facility to a distribution center, storage facility, or large volume customer that is not downstream from a distribution center (A large volume customer may receive similar volumes of gas as a distribution center, and includes factories, power plants, and institutional users of gas);

(B) Operates at a hoop stress of twenty percent (20%) or more of SMYS; or

(C) Transports gas within a storage field.

(18) Transportation of gas means the receipt of gas at one point on a regulated gas corporation's system and the redelivery of an equivalent volume of gas to the retail customer of the gas at another point on the regulated gas corporation's system including, without limitation, scheduling, balancing, peaking, storage, and exchange to the extent such services are provided pursuant to the regulated gas corporation's tariff, and includes opportunity sales.

(19) Yard line means an underground fuel line that transports gas from the service line to the customer's building. If multiple buildings are being served, building shall mean the building nearest to the connection to the service line. For purposes of this definition, if aboveground fuel line piping at the meter location is located within five feet (5') of a building being served by that meter, it shall be considered to the customer's building and no yard line exists. At meter locations where aboveground fuel line piping is located greater than five feet (5') from the building(s) being served, the underground fuel line from the meter to the entrance into the nearest building served by that meter shall be considered the yard line and any other lines are not considered yard lines.

RULE TRANSMITTAL (

*Administrative Rules Stamp

RECEIVED

JAN 23 2003

SECRETARY OF STATE
ADMINISTRATIVE RULES

MATT BLUNT
Secretary of State
Administrative Rules Division
RULE TRANSMITTAL

A "SEPARATE" rule transmittal sheet must be used for EACH individual rulemaking.

A. Rule Number Chapter 4 CSR 240-3.210
Diskette File Name Orders of Rulemaking - Chapter 3 Word 2000
Name of Person to call with questions about this rule:
Content Cliff E. Snodgrass & Dale Johansen Phone 573-751-3966 FAX 573-751-9285
Data Entry Rosemarie Riedl Phone 573-751-7468 FAX Same as above
Email Address cliffsnodgrass@psc.state.mo.us or dalejohansen@psc.state.mo.us
Interagency Mailing Address Governor Office Building, 200 Madison St., 8th Floor, Jefferson City, MO
Statutory Authority 393.140(11), 386.250(6), 536.016(1) Current RSMo date 2000
Date Filed With the Joint Committee on Administrative Rules Exempt per Sections 536.024 and 536.037, RSMo 2000, and Executive Order No. 97-97 (June 27, 1997)

B. CHECK, IF INCLUDED:

- | | |
|--|---|
| <input checked="" type="checkbox"/> This transmittal completed | <input type="checkbox"/> Incorporation by reference materials, if any |
| <input checked="" type="checkbox"/> Cover letter | <input type="checkbox"/> Authority with history of the rule |
| <input type="checkbox"/> Affidavit | <input type="checkbox"/> Public cost |
| <input type="checkbox"/> Forms, number of pages <u> </u> | <input type="checkbox"/> Private cost |
| <input type="checkbox"/> Fiscal notes | <input type="checkbox"/> Hearing and comment period |

C. RULEMAKING ACTION TO BE TAKEN

- ☐ Emergency Rulemaking, (check one) ☐ rule ☐ amendment ☐ rescission ☐ termination
MUST include effective date
- ☐ Proposed Rulemaking (check one) ☐ rule ☐ amendment ☐ rescission
- ☒ Order of Rulemaking (check one) ☒ rule ☐ amendment ☐ rescission ☐ termination
MUST complete page 2 of this transmittal
- ☐ Withdrawal (check one) ☐ rule ☐ amendment ☐ rescission ☐ emergency
- ☐ Rule action notice
- ☐ In addition
- ☐ Rule under consideration

D. SPECIFIC INSTRUCTIONS: Please indicate any special instructions (e.g., publication date preference, identify material to be incorporated by reference, or forms included herein).

JCAR Stamp

NOTE: ALL changes MUST be specified here in order for those changes to be published in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.

RULE TRANSMITTAL (PAGE 2)

E. ORDER OF RULEMAKING: Rule Number _____

1a. Effective Date for the Order

☒ Statutory 30 days

Specific date _____

1b. Does the Order of Rulemaking contain changes to the rule text?

☐ YES

☒ NO

1c. If the answer is YES, please complete section F. If the answer is NO, **STOP** here.

F. Please provide a complete list of the changes in the rule text for the order of rulemaking, indicating the specific section, subsection, paragraph, subparagraph, part, etc., where each change is found. It is especially important to identify the parts of the rule that are being deleted in this order of rulemaking. This is not a reprinting of your order, but an explanation of what sections, subsections, etc. have been changed since the *original proposed rule* was filed.

(Start text here. If text continues to a third page, insert a continuous section break and, in section 3, delete the footer text. DO NOT delete the header, however.)

NOTE: ALL changes MUST be specified here in order for those changes to be made in the rule as published in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.



Commissioners
KELVIN L. SIMMONS
Chair
CONNIE MURRAY
SHEILA LUMPE
STEVE GAW
BRYAN FORBIS

Missouri Public Service Commission

POST OFFICE BOX 360
JEFFERSON CITY, MISSOURI 65102
573-751-3234
573-751-1847 (Fax Number)
<http://www.psc.state.mo.us>
January 23, 2003

ROBERT J. QUINN, JR.
Executive Director
WESS A. HENDERSON
Director, Utility Operations
ROBERT SCHALLENBERG
Director, Utility Services
DONNA M. PRENGER
Director, Administration
DALE HARDY ROBERTS
Secretary/Chief Regulatory Law Judge
DANA K. JOYCE
General Counsel

Mr. Matt Blunt
Secretary of State
Administrative Rules Division
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Blunt,

RE: Chapter 4 CSR 240-3.210 - Filing Requirements for Gas Utility Applications for Authority to Sell, Assign, Lease or Transfer Assets

CERTIFICATION OF ADMINISTRATIVE RULE

I do hereby certify that the attached is an accurate and complete copy of the order rulemaking lawfully submitted by the Missouri Public Service Commission on this 23rd day of January 2003.

Statutory Authority: Sections 393.140(11), 386.250(6) and 536.016(1)

If there are any questions regarding the content of the rule, please contact:

Cliff E. Snodgrass
200 Madison Street, Suite 800
P. O. Box 360, Jefferson City, MO 65101
(573) 751-3966
cliffsnodgrass@psc.state.mo.us

Sincerely yours,

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

DHR:CES:rr

Enclosures: Transmittal Form, Order of Rulemaking & 3.5" Diskette

**Title 4 – DEPARTMENT OF ECONOMIC DEVELOPMENT
Division 240 – Public Service Commission
Chapter 3 – Filing and Reporting Requirements**

ORDER OF RULEMAKING

By the authority vested in the Missouri Public Service Commission under section 386.250, RSMo 2000, as currently supplemented, the commission adopts a rule as follows:

4 CSR 240-3.210 Filing Requirements for Gas Utility Applications
for Authority to Sell, Assign, Lease or Transfer Assets **is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on September 16, 2002 (27 MoReg 1600). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

RECEIVED

JAN 23 2003

**SECRETARY OF STATE
ADMINISTRATIVE RULES**

*Administrative Rules Stamp

MATT BLUNT
Secretary of State
Administrative Rules Division
RULE TRANSMITTAL

RECEIVED

JAN 23 2003

SECRETARY OF STATE ADMINISTRATIVE RULES

A "SEPARATE" rule transmittal sheet must be used for EACH individual rulemaking.

A. Rule Number Chapter 4 CSR 240-3.215
 Diskette File Name Orders of Rulemaking - Chapter 3 Word 2000
 Name of Person to call with questions about this rule:
 Content Cliff E. Snodgrass & Dale Johansen Phone 573-751-3966 FAX 573-751-9285
 Data Entry Rosemarie Riedl Phone 573-751-7468 FAX Same as above
 Email Address cliffsnodgrass@psc.state.mo.us or dalejohansen@psc.state.mo.us
 Interagency Mailing Address Governor Office Building, 200 Madison St., 8th Floor, Jefferson City, MO
 Statutory Authority 393.140(11), 386.250(6), 536.016(1) Current RSMo date 2000
 Date Filed With the Joint Committee on Administrative Rules Exempt per Sections 536.024 and 536.037, RSMo 2000, and Executive Order No. 97-97 (June 27, 1997)

B. CHECK, IF INCLUDED:

- | | | | |
|-------------------------------------|-----------------------------|--------------------------|--|
| <input checked="" type="checkbox"/> | This transmittal completed | <input type="checkbox"/> | Incorporation by reference materials, if any |
| <input checked="" type="checkbox"/> | Cover letter | <input type="checkbox"/> | Authority with history of the rule |
| <input type="checkbox"/> | Affidavit | <input type="checkbox"/> | Public cost |
| <input type="checkbox"/> | Forms, number of pages ____ | <input type="checkbox"/> | Private cost |
| <input type="checkbox"/> | Fiscal notes | <input type="checkbox"/> | Hearing and comment period |

C. RULEMAKING ACTION TO BE TAKEN

- ☐ Emergency Rulemaking, (check one) ☐ rule ☐ amendment ☐ rescission ☐ termination
MUST include effective date _____
- ☐ Proposed Rulemaking (check one) ☐ rule ☐ amendment ☐ rescission
- ☒ Order of Rulemaking (check one) ☒ rule ☐ amendment ☐ rescission ☐ termination
MUST complete page 2 of this transmittal
- ☐ Withdrawal (check one) ☐ rule ☐ amendment ☐ rescission ☐ emergency
- ☐ Rule action notice
- ☐ In addition
- ☐ Rule under consideration

- D. **SPECIFIC INSTRUCTIONS:** Please indicate any special instructions (e.g., publication date preference, identify material to be incorporated by reference, or forms included herein).

JCAR Stamp

NOTE: ALL changes MUST be specified here in order for those changes to be made in the Missouri Register and the Code of State Regulations.

Add additional sheet(s), if more space is needed.

RULE TRANSMITTAL (PAGE 2)

E. ORDER OF RULEMAKING: Rule Number _____

1a. Effective Date for the Order

☒ Statutory 30 days

Specific date _____

___1b. Does the Order of Rulemaking contain changes to the rule text?

☐ YES

☒ NO

1c. If the answer is YES, please complete section F. If the answer is NO, **STOP** here.

F. Please provide a complete list of the changes in the rule text for the order of rulemaking, indicating the specific section, subsection, paragraph, subparagraph, part, etc., where each change is found. It is especially important to identify the parts of the rule that are being deleted in this order of rulemaking. This is not a reprinting of your order, but an explanation of what sections, subsections, etc. have been changed since the original proposed rule was filed.

(Start text here. If text continues to a third page, insert a continuous section break and, in section 3, delete the footer text. DO NOT delete the header, however.)

NOTE: ALL changes MUST be specified here in order for those changes to be made in the rule as published in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.



Commissioners
KELVIN L. SIMMONS
Chair
CONNIE MURRAY
SHEILA LUMPE
STEVE GAW
BRYAN FORBIS

Missouri Public Service Commission

POST OFFICE BOX 360
JEFFERSON CITY, MISSOURI 65102
573-751-3234
573-751-1847 (Fax Number)
<http://www.psc.state.mo.us>
January 23, 2003

ROBERT J. QUINN, JR.
Executive Director
WESS A. HENDERSON
Director, Utility Operations
ROBERT SCHALLENBERG
Director, Utility Services
DONNA M. PRENGER
Director, Administration
DALE HARDY ROBERTS
Secretary/Chief Regulatory Law Judge
DANA K. JOYCE
General Counsel

Mr. Matt Blunt
Secretary of State
Administrative Rules Division
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Blunt,

RE: Chapter 4 CSR 240-3.215 - Filing Requirements for Gas Utility Applications for Authority to Merge or Consolidate

CERTIFICATION OF ADMINISTRATIVE RULE

I do hereby certify that the attached is an accurate and complete copy of the order rulemaking lawfully submitted by the Missouri Public Service Commission on this 23rd day of January 2003.

Statutory Authority: Sections 393.140(11), 386.250(6) and 536.016(1)

If there are any questions regarding the content of the rule, please contact:

Cliff E. Snodgrass
200 Madison Street, Suite 800
P. O. Box 360, Jefferson City, MO 65101
(573) 751-3966
cliffsnodgrass@psc.state.mo.us

Sincerely yours,

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

DHR:CES:rr

Enclosures: Transmittal Form, Order of Rulemaking & 3.5" Diskette

Title 4 – DEPARTMENT OF ECONOMIC DEVELOPMENT
Division 240 – Public Service Commission
Chapter 3 – Filing and Reporting Requirements

RECEIVED

JAN 23 2003

ORDER OF RULEMAKING

SECRETARY OF STATE
ADMINISTRATIVE RULES

By the authority vested in the Missouri Public Service Commission under section 386.250, RSMo 2000, as currently supplemented, the commission adopts a rule as follows:

**4 CSR 240-3.215 Filing Requirements for Gas Utility
Applications for Authority to Merge or Consolidate is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on September 16, 2002 (27 MoReg 1600-1601). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The commission received written comments from one entity regarding this proposed rule. The comments focused on the use of the term "purchaser" in one section of the rule. The period for receiving written comments on this proposed rule ended on October 16, 2002. The commission held a public hearing on this proposed rule on October 25, 2002, but received no comments regarding the rule at that hearing.

COMMENTS: The entity that submitted comments regarding this proposed rule stated the opinion that it is inappropriate for the commission to use the term "purchaser" in this rule, since the rule pertains to utility mergers and consolidations and there is no "purchaser" in such situations.

RESPONSE: The commission notes that the use of the referenced term comes from an existing rule related to this topic, and that in the interest of not making changes that could be considered substantive when comparing the existing rule and this proposed rule, the term "purchaser" was used in the proposed rule. While the commission agrees with the gist of the comments, it continues to be concerned that any changes to the subject language in the proposed rule could be considered substantive. Based on the foregoing, the commission is not making any changes to the proposed rule at this time.

RULE TRANSMITTAL (

MATT BLUNT
Secretary of State
Administrative Rules Division
RULE TRANSMITTAL

*Administrative Rules Stamp

RECEIVED

JAN 23 2003

SECRETARY OF STATE
ADMINISTRATIVE RULES

A "SEPARATE" rule transmittal sheet must be used for EACH individual rulemaking.

A. Rule Number Chapter 4 CSR 240-3.225
 Diskette File Name Orders of Rulemaking - Chapter 3 Word 2000
 Name of Person to call with questions about this rule:
 Content Cliff E. Snodgrass & Dale Johansen Phone 573-751-3966 FAX 573-751-9285
 Data Entry Rosemarie Riedl Phone 573-751-7468 FAX Same as above
 Email Address cliffsnodgrass@psc.state.mo.us or dalejohansen@psc.state.mo.us
 Interagency Mailing Address Governor Office Building, 200 Madison St., 8th Floor, Jefferson City, MO
 Statutory Authority 393.140(11), 386.250(6), 536.016(1) Current RSMo date 2000
 Date Filed With the Joint Committee on Administrative Rules Exempt per Sections 536.024 and 536.037, RSMo 2000, and Executive Order No. 97-97 (June 27, 1997)

B. CHECK, IF INCLUDED:

- | | |
|--|---|
| <input checked="" type="checkbox"/> This transmittal completed | <input type="checkbox"/> Incorporation by reference materials, if any |
| <input checked="" type="checkbox"/> Cover letter | <input type="checkbox"/> Authority with history of the rule |
| <input type="checkbox"/> Affidavit | <input type="checkbox"/> Public cost |
| <input type="checkbox"/> Forms, number of pages ____ | <input type="checkbox"/> Private cost |
| <input type="checkbox"/> Fiscal notes | <input type="checkbox"/> Hearing and comment period |

C. RULEMAKING ACTION TO BE TAKEN

- ☐ Emergency Rulemaking, (check one) ☐ rule ☐ amendment ☐ rescission ☐ termination
MUST include effective date
- ☐ Proposed Rulemaking (check one) ☐ rule ☐ amendment ☐ rescission
- ☒ Order of Rulemaking (check one) ☒ rule ☐ amendment ☐ rescission ☐ termination
MUST complete page 2 of this transmittal
- ☐ Withdrawal (check one) ☐ rule ☐ amendment ☐ rescission ☐ emergency
- ☐ Rule action notice
- ☐ In addition
- ☐ Rule under consideration

D. SPECIFIC INSTRUCTIONS: Please indicate any special instructions (e.g., publication date preference, identify material to be incorporated by reference, or forms included herein).

JCAR Stamp

NOTE: ALL changes MUST be specified here in order for those changes to be published in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.

RULE TRANSMITTAL (PAGE 2)

E. ORDER OF RULEMAKING: Rule Number _____

1a. Effective Date for the Order

☒ Statutory 30 days

Specific date _____

1b. Does the Order of Rulemaking contain changes to the rule text?

☐ YES

☒ NO

1c. If the answer is YES, please complete section F. If the answer is NO, **STOP** here.

F. Please provide a complete list of the changes in the rule text for the order of rulemaking, indicating the specific section, subsection, paragraph, subparagraph, part, etc., where each change is found. It is especially important to identify the parts of the rule that are being deleted in this order of rulemaking. This is not a reprinting of your order, but an explanation of what sections, subsections, etc. have been changed since the original proposed rule was filed.

(Start text here. If text continues to a third page, insert a continuous section break and, in section 3, delete the footer text. DO NOT delete the header, however.)

NOTE: ALL changes MUST be specified here in order for those changes to be made in the rule as published in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.



Commissioners
KELVIN L. SIMMONS
Chair
CONNIE MURRAY
SHEILA LUMPE
STEVE GAW
BRYAN FORBIS

Missouri Public Service Commission

POST OFFICE BOX 360
JEFFERSON CITY, MISSOURI 65102
573-751-3234
573-751-1847 (Fax Number)
<http://www.psc.state.mo.us>
January 23, 2003

ROBERT J. QUINN, JR.
Executive Director
WESS A. HENDERSON
Director, Utility Operations
ROBERT SCHALLENBERG
Director, Utility Services
DONNA M. PRENGER
Director, Administration
DALE HARDY ROBERTS
Secretary/Chief Regulatory Law Judge
DANA K. JOYCE
General Counsel

Mr. Matt Blunt
Secretary of State
Administrative Rules Division
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Blunt,

RE: Chapter 4 CSR 240-3.225 - Filing Requirements for Gas Utility Applications for Authority to Acquire the Stock of a Public Utility

CERTIFICATION OF ADMINISTRATIVE RULE

I do hereby certify that the attached is an accurate and complete copy of the order rulemaking lawfully submitted by the Missouri Public Service Commission on this 23rd day of January 2003.

Statutory Authority: Sections 393.140(11), 386.250(6) and 536.016(1)

If there are any questions regarding the content of the rule, please contact:

Cliff E. Snodgrass
200 Madison Street, Suite 800
P. O. Box 360, Jefferson City, MO 65101
(573) 751-3966
cliffsnodgrass@psc.state.mo.us

Sincerely yours,

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

DHR:CES:rr

Enclosures: Transmittal Form, Order of Rulemaking & 3.5" Diskette

Title 4 – DEPARTMENT OF ECONOMIC DEVELOPMENT

Division 240 – Public Service Commission

Chapter 3 – Filing and Reporting Requirements

ORDER OF RULEMAKING

By the authority vested in the Missouri Public Service Commission under section 386.250, RSMo 2000, as currently supplemented, the commission adopts a rule as follows:

**4 CSR 240-3.225 Filing Requirements for Gas Utility Applications
for Authority to Acquire the Stock of a Public Utility is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on September 16, 2002 (27 MoReg 1601-1602). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

RECEIVED

JAN 23 2003

**SECRETARY OF STATE
ADMINISTRATIVE RULES**

RULE TRANSMITTAL (

MATT BLUNT
Secretary of State
Administrative Rules Division
RULE TRANSMITTAL

*Administrative Rules Stamp

RECEIVED

JAN 23 2003

SECRETARY OF STATE
ADMINISTRATIVE RULES

A "SEPARATE" rule transmittal sheet must be used for EACH individual rulemaking.

A. Rule Number Chapter 4 CSR 240-3.230
 Diskette File Name Orders of Rulemaking - Chapter 3 Word 2000
 Name of Person to call with questions about this rule:
 Content Cliff E. Snodgrass & Dale Johansen Phone 573-751-3966 FAX 573-751-9285
 Data Entry Rosemarie Riedl Phone 573-751-7468 FAX Same as above
 Email Address cliffsnodgrass@psc.state.mo.us or dalejohansen@psc.state.mo.us
 Interagency Mailing Address Governor Office Building, 200 Madison St., 8th Floor, Jefferson City, MO
 Statutory Authority 393.140(11), 386.250(6), 536.016(1) Current RSMo date 2000
 Date Filed With the Joint Committee on Administrative Rules Exempt per Sections 536.024 and 536.037, RSMo 2000, and Executive Order No. 97-97 (June 27, 1997)

B. CHECK, IF INCLUDED:

- | | |
|--|---|
| <input checked="" type="checkbox"/> This transmittal completed | <input type="checkbox"/> Incorporation by reference materials, if any |
| <input checked="" type="checkbox"/> Cover letter | <input type="checkbox"/> Authority with history of the rule |
| <input type="checkbox"/> Affidavit | <input type="checkbox"/> Public cost |
| <input type="checkbox"/> Forms, number of pages <u> </u> | <input type="checkbox"/> Private cost |
| <input type="checkbox"/> Fiscal notes | <input type="checkbox"/> Hearing and comment period |

C. RULEMAKING ACTION TO BE TAKEN

- ☐ Emergency Rulemaking, (check one) ☐ rule ☐ amendment ☐ rescission ☐ termination
MUST include effective date
- ☐ Proposed Rulemaking (check one) ☐ rule ☐ amendment ☐ rescission
- ☒ Order of Rulemaking (check one) ☒ rule ☐ amendment ☐ rescission ☐ termination
MUST complete page 2 of this transmittal
- ☐ Withdrawal (check one) ☐ rule ☐ amendment ☐ rescission ☐ emergency
- ☐ Rule action notice
- ☐ In addition
- ☐ Rule under consideration

D. SPECIFIC INSTRUCTIONS: Please indicate any special instructions (e.g., publication date preference, identify material to be incorporated by reference, or forms included herein).

JCAR Stamp

NOTE: ALL changes MUST be specified here in order for those changes to be published in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.

RULE TRANSMITTAL (PAGE 2)

E. ORDER OF RULEMAKING: Rule Number _____

1a. Effective Date for the Order

☒ Statutory 30 days

Specific date _____

1b. Does the Order of Rulemaking contain changes to the rule text?

☐ YES

☒ NO

1c. If the answer is YES, please complete section F. If the answer is NO, **STOP** here.

F. Please provide a complete list of the changes in the rule text for the order of rulemaking, indicating the specific section, subsection, paragraph, subparagraph, part, etc., where each change is found. It is especially important to identify the parts of the rule that are being deleted in this order of rulemaking. This is not a reprinting of your order, but an explanation of what sections, subsections, etc. have been changed since the original proposed rule was filed.

(Start text here. If text continues to a third page, insert a continuous section break and, in section 3, delete the footer text. DO NOT delete the header, however.)

NOTE: ALL changes MUST be specified here in order for those changes to be made in the rule as published in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.



Commissioners
KELVIN L. SIMMONS
Chair
CONNIE MURRAY
SHEILA LUMPE
STEVE GAW
BRYAN FORBIS

Missouri Public Service Commission

POST OFFICE BOX 360
JEFFERSON CITY, MISSOURI 65102
573-751-3234
573-751-1847 (Fax Number)
<http://www.psc.state.mo.us>
January 23, 2003

ROBERT J. QUINN, JR.
Executive Director
WESS A. HENDERSON
Director, Utility Operations
ROBERT SCHALLENBERG
Director, Utility Services
DONNA M. PRENGER
Director, Administration
DALE HARDY ROBERTS
Secretary/Chief Regulatory Law Judge
DANA K. JOYCE
General Counsel

Mr. Matt Blunt
Secretary of State
Administrative Rules Division
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Blunt,

**RE: Chapter 4 CSR 240-3.230 - Filing Requirements for Gas Storage Companies
Requesting the Authority to Acquire Property Through Eminent Domain
Proceedings**

CERTIFICATION OF ADMINISTRATIVE RULE

I do hereby certify that the attached is an accurate and complete copy of the order rulemaking lawfully submitted by the Missouri Public Service Commission on this 23rd day of January 2003.

Statutory Authority: Sections 393.140(11), 386.250(6) and 536.016(1)

If there are any questions regarding the content of the rule, please contact:

Cliff E. Snodgrass
200 Madison Street, Suite 800
P. O. Box 360, Jefferson City, MO 65101
(573) 751-3966
cliffsnodgrass@psc.state.mo.us

Sincerely yours,

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

DHR:CES:rr
Enclosures: Transmittal Form, Order of Rulemaking & 3.5" Diskette

Title 4 – DEPARTMENT OF ECONOMIC DEVELOPMENT
Division 240 – Public Service Commission
Chapter 3 – Filing and Reporting Requirements

RECEIVED

JAN 23 2003

SECRETARY OF STATE
ADMINISTRATIVE RULES

ORDER OF RULEMAKING

By the authority vested in the Missouri Public Service Commission under section 386.250, RSMo 2000, as currently supplemented, the commission adopts a rule as follows:

4 CSR 240-3.230 Filing Requirements for Gas Storage Companies Requesting the
Authority to Acquire Property Through Eminent Domain Proceedings **is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on September 16, 2002 (27 MoReg 1602). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

RULE TRANSMITTAL (

*Administrative Rules Stamp

RECEIVED

JAN 23 2003

**SECRETARY OF STATE
ADMINISTRATIVE RULES**

MATT BLUNT
Secretary of State
Administrative Rules Division
RULE TRANSMITTAL

A "SEPARATE" rule transmittal sheet must be used for EACH individual rulemaking.

A. Rule Number Chapter 4 CSR 240-3.235
Diskette File Name Orders of Rulemaking - Chapter 3 Word 2000
Name of Person to call with questions about this rule:
Content Cliff E. Snodgrass & Dale Johansen Phone 573-751-3966 FAX 573-751-9285
Data Entry Rosemarie Riedl Phone 573-751-7468 FAX Same as above
Email Address cliffsnodgrass@psc.state.mo.us or dalejohansen@psc.state.mo.us
Interagency Mailing Address Governor Office Building, 200 Madison St., 8th Floor, Jefferson City, MO
Statutory Authority 393.140(11), 386.250(6), 536.016(1) Current RSMo date 2000
Date Filed With the Joint Committee on Administrative Rules Exempt per Sections 536.024 and 536.037, RSMo 2000, and Executive Order No. 97-97 (June 27, 1997)

B. CHECK, IF INCLUDED:

- | | |
|--|---|
| <input checked="" type="checkbox"/> This transmittal completed | <input type="checkbox"/> Incorporation by reference materials, if any |
| <input checked="" type="checkbox"/> Cover letter | <input type="checkbox"/> Authority with history of the rule |
| <input type="checkbox"/> Affidavit | <input type="checkbox"/> Public cost |
| <input type="checkbox"/> Forms, number of pages <u> </u> | <input type="checkbox"/> Private cost |
| <input type="checkbox"/> Fiscal notes | <input type="checkbox"/> Hearing and comment period |

C. RULEMAKING ACTION TO BE TAKEN

- ☐ Emergency Rulemaking, (check one) ☐ rule ☐ amendment ☐ rescission ☐ termination
MUST include effective date
- ☐ Proposed Rulemaking (check one) ☐ rule ☐ amendment ☐ rescission
- ☒ Order of Rulemaking (check one) ☒ rule ☐ amendment ☐ rescission ☐ termination
MUST complete page 2 of this transmittal
- ☐ Withdrawal (check one) ☐ rule ☐ amendment ☐ rescission ☐ emergency
- ☐ Rule action notice
- ☐ In addition
- ☐ Rule under consideration

D. SPECIFIC INSTRUCTIONS: Please indicate any special instructions (e.g., publication date preference, identify material to be incorporated by reference, or forms included herein).

JCAR Stamp

NOTE: ALL changes MUST be specified here in order for those change in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.

RULE TRANSMITTAL (PAGE 2)

E. ORDER OF RULEMAKING: Rule Number _____

1a. Effective Date for the Order

☒ Statutory 30 days

Specific date _____

1b. Does the Order of Rulemaking contain changes to the rule text? _____

☐ YES

☒ NO

1c. If the answer is YES, please complete section F. If the answer is NO, **STOP** here.

F. Please provide a complete list of the changes in the rule text for the order of rulemaking, indicating the specific section, subsection, paragraph, subparagraph, part, etc., where each change is found. It is especially important to identify the parts of the rule that are being deleted in this order of rulemaking. This is not a reprinting of your order, but an explanation of what sections, subsections, etc. have been changed since the original proposed rule was filed.

(Start text here. If text continues to a third page, insert a continuous section break and, in section 3, delete the footer text. DO NOT delete the header, however.)

NOTE: ALL changes MUST be specified here in order for those changes to be made in the rule as published in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.



Commissioners
KELVIN L. SIMMONS
Chair
CONNIE MURRAY
SHEILA LUMPE
STEVE GAW
BRYAN FORBIS

Missouri Public Service Commission

POST OFFICE BOX 360
JEFFERSON CITY, MISSOURI 65102
573-751-3234
573-751-1847 (Fax Number)
<http://www.psc.state.mo.us>
January 23, 2003

ROBERT J. QUINN, JR.
Executive Director
WESS A. HENDERSON
Director, Utility Operations
ROBERT SCHALLENBERG
Director, Utility Services
DONNA M. PRENGER
Director, Administration
DALE HARDY ROBERTS
Secretary/Chief Regulatory Law Judge
DANA K. JOYCE
General Counsel

Mr. Matt Blunt
Secretary of State
Administrative Rules Division
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Blunt,

RE: Chapter 4 CSR 240-3.235 - Filing Requirements for Gas Utility General Rate Increase Requests

CERTIFICATION OF ADMINISTRATIVE RULE

I do hereby certify that the attached is an accurate and complete copy of the order rulemaking lawfully submitted by the Missouri Public Service Commission on this 23rd day of January 2003.

Statutory Authority: Sections 393.140(11), 386.250(6) and 536.016(1)

If there are any questions regarding the content of the rule, please contact:

Cliff E. Snodgrass
200 Madison Street, Suite 800
P. O. Box 360, Jefferson City, MO 65101
(573) 751-3966
cliffsnodgrass@psc.state.mo.us

Sincerely yours,

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

DHR:CES:rr

Enclosures: Transmittal Form, Order of Rulemaking & 3.5" Diskette

Title 4 – DEPARTMENT OF ECONOMIC DEVELOPMENT
Division 240 – Public Service Commission
Chapter 3 – Filing and Reporting Requirements

RECEIVED

JAN 23 2003

ORDER OF RULEMAKING

SECRETARY OF STATE

ADMINISTRATIVE RULES

By the authority vested in the Missouri Public Service Commission under section 386.250, RSMo 2000, as currently supplemented, the commission adopts a rule as follows:

4 CSR 240-3.235 Filing Requirements for Gas Utility General Rate Increase Requests is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on September 16, 2002 (27 MoReg 1602-1603). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The commission received written comments from one entity regarding this proposed rule. The comments focused on the title of the rule and a possible duplication of language in regard to another rule. The period for receiving written comments on this proposed rule ended on October 16, 2002. The commission held a public hearing on this proposed rule on October 25, 2002, but received no comments regarding the rule at that hearing.

COMMENTS: The entity that submitted comments regarding this proposed rule addressed two issues regarding the rule. First, the comments suggested that a better title for this rule could be found and/or that the requirements of this rule could be combined with the requirements of rule 3.030, which deals with the same general topic of filing requirements pertaining to general rate increases. The comments noted that the purpose section of this rule contains a cross-reference to rule 3.030, but that this is not believed sufficient. Second, the comments noted that there might be an unnecessary duplication of language in this rule and in rule 3.275.

RESPONSE: Regarding the title of this rule and the rule's relationship to rule 3.030, the commission notes that rule 3.030 contains filing requirements that apply to all regulated utilities and that this rule contains additional requirements that apply only to gas utilities. Accordingly, the Commission believes that the title of this rule is appropriate and that the combination of this rule and 3.030 would not be appropriate. The commission also notes that rule 3.030 contains a cross-reference to this rule and that there should thus not be any confusion as to what is required of a utility that is filing a general rate increase request. Additionally, the commission notes that the title of this rule was selected in anticipation of additional requirements being added to this rule at a later date through an additional rulemaking. Regarding the possible duplication of language in this rule and rule 3.275, the commission notes that while these two rules deal with similar subjects, they deal with different situations and thus the referenced language is necessary in both rules. Based on the above, no changes have been made to the proposed rule as a result of these comments.

RULE TRANSMITTAL (

MATT BLUNT
Secretary of State
Administrative Rules Division
RULE TRANSMITTAL

*Administrative Rules Stamp

RECEIVED

JAN 23 2003

SECRETARY OF STATE
ADMINISTRATIVE RULES

A "SEPARATE" rule transmittal sheet must be used for EACH individual rulemaking.

A. Rule Number Chapter 4 CSR 240-3.240
 Diskette File Name Orders of Rulemaking - Chapter 3 Word 2000
 Name of Person to call with questions about this rule:
 Content Cliff E. Snodgrass & Dale Johansen Phone 573-751-3966 FAX 573-751-9285
 Data Entry Rosemarie Riedl Phone 573-751-7468 FAX Same as above
 Email Address cliffsnodgrass@psc.state.mo.us or dalejohansen@psc.state.mo.us
 Interagency Mailing Address Governor Office Building, 200 Madison St., 8th Floor, Jefferson City, MO
 Statutory Authority 393.140(11), 386.250(6), 536.016(1) Current RSMo date 2000
 Date Filed With the Joint Committee on Administrative Rules Exempt per Sections 536.024 and 536.037, RSMo 2000, and Executive Order No. 97-97 (June 27, 1997)

B. CHECK, IF INCLUDED:

- | | |
|--|---|
| <input checked="" type="checkbox"/> This transmittal completed | <input type="checkbox"/> Incorporation by reference materials, if any |
| <input checked="" type="checkbox"/> Cover letter | <input type="checkbox"/> Authority with history of the rule |
| <input type="checkbox"/> Affidavit | <input type="checkbox"/> Public cost |
| <input type="checkbox"/> Forms, number of pages ____ | <input type="checkbox"/> Private cost |
| <input type="checkbox"/> Fiscal notes | <input type="checkbox"/> Hearing and comment period |

C. RULEMAKING ACTION TO BE TAKEN

- ☐ Emergency Rulemaking, (check one) ☐ rule ☐ amendment ☐ rescission ☐ termination
MUST include effective date _____
- ☐ Proposed Rulemaking (check one) ☐ rule ☐ amendment ☐ rescission
- ☒ Order of Rulemaking (check one) ☒ rule ☐ amendment ☐ rescission ☐ termination
MUST complete page 2 of this transmittal
- ☐ Withdrawal (check one) ☐ rule ☐ amendment ☐ rescission ☐ emergency
- ☐ Rule action notice
- ☐ In addition
- ☐ Rule under consideration

D. SPECIFIC INSTRUCTIONS: Please indicate any special instructions (e.g., publication date preference, identify material to be incorporated by reference, or forms included herein).

JCAR Stamp

NOTE: ALL changes MUST be specified here in order for those changes to be published in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.

RULE TRANSMITTAL (PAGE 2)

E. ORDER OF RULEMAKING: Rule Number _____

1a. Effective Date for the Order

☒ Statutory 30 days

Specific date _____

1b. Does the Order of Rulemaking contain changes to the rule text?

☐ YES

☒ NO

1c. If the answer is YES, please complete section F. If the answer is NO, **STOP** here.

F. Please provide a complete list of the changes in the rule text for the order of rulemaking, indicating the specific section, subsection, paragraph, subparagraph, part, etc., where each change is found. It is especially important to identify the parts of the rule that are being deleted in this order of rulemaking. This is not a reprinting of your order, but an explanation of what sections, subsections, etc. have been changed since the original proposed rule was filed.

(Start text here. If text continues to a third page, insert a continuous section break and, in section 3, delete the footer text. DO NOT delete the header, however.)

NOTE: ALL changes MUST be specified here in order for those changes to be made in the rule as published in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.



Commissioners
KELVIN L. SIMMONS
Chair
CONNIE MURRAY
SHEILA LUMPE
STEVE GAW
BRYAN FORBIS

Missouri Public Service Commission

POST OFFICE BOX 360
JEFFERSON CITY, MISSOURI 65102
573-751-3234
573-751-1847 (Fax Number)
<http://www.psc.state.mo.us>
January 23, 2003

ROBERT J. QUINN, JR.
Executive Director
WESS A. HENDERSON
Director, Utility Operations
ROBERT SCHALLENBERG
Director, Utility Services
DONNA M. PRENGER
Director, Administration
DALE HARDY ROBERTS
Secretary/Chief Regulatory Law Judge
DANA K. JOYCE
General Counsel

Mr. Matt Blunt
Secretary of State
Administrative Rules Division
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Blunt,

RE: 4 CSR 240-3.240 - Gas Utility Small Company Rate Increase Procedure

CERTIFICATION OF ADMINISTRATIVE RULE

I do hereby certify that the attached is an accurate and complete copy of the order rulemaking lawfully submitted by the Missouri Public Service Commission on this 23rd day of January 2003.

Statutory Authority: Sections 393.140(11), 386.250(6) and 536.016(1)

If there are any questions regarding the content of the rule, please contact:

Cliff E. Snodgrass
200 Madison Street, Suite 800
P. O. Box 360, Jefferson City, MO 65101
(573) 751-3966
cliffsnodgrass@psc.state.mo.us

Sincerely yours,

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

DHR:CES:rr

Enclosures: Transmittal Form, Order of Rulemaking & 3.5" Diskette

**Title 4 – DEPARTMENT OF ECONOMIC DEVELOPMENT
Division 240 – Public Service Commission
Chapter 3 – Filing and Reporting Requirements**

RECEIVED

JAN 23 2003

ORDER OF RULEMAKING

By the authority vested in the Missouri Public Service Commission under section 386.250, RSMo 2000, as amended and supplemented, the commission adopts a rule as follows:

**SECRETARY OF STATE
ADMINISTRATIVE RULES**

4 CSR 240-3.240 Gas Utility Small Company Rate Increase Procedure is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on September 16, 2002 (27 MoReg 1603-1604). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

RULE TRANSMITTAL (

*Administrative Rules Stamp

RECEIVED

JAN 23 2003

**SECRETARY OF STATE
ADMINISTRATIVE RULES**

MATT BLUNT
Secretary of State
Administrative Rules Division
RULE TRANSMITTAL

A "SEPARATE" rule transmittal sheet must be used for EACH individual rulemaking.

A. Rule Number Chapter 4 CSR 240-3.245
Diskette File Name Orders of Rulemaking - Chapter 3 Word 2000
Name of Person to call with questions about this rule:
Content Cliff E. Snodgrass & Dale Johansen Phone 573-751-3966 FAX 573-751-9285
Data Entry Rosemarie Riedl Phone 573-751-7468 FAX Same as above
Email Address cliffsnodgrass@psc.state.mo.us or dalejohansen@psc.state.mo.us
Interagency Mailing Address Governor Office Building, 200 Madison St., 8th Floor, Jefferson City, MO
Statutory Authority 393.140(11), 386.250(6), 536.016(1) Current RSMo date 2000
Date Filed With the Joint Committee on Administrative Rules Exempt per Sections 536.024 and 536.037, RSMo 2000, and Executive Order No. 97-97 (June 27, 1997)

B. CHECK, IF INCLUDED:

- | | |
|--|---|
| <input checked="" type="checkbox"/> This transmittal completed | <input type="checkbox"/> Incorporation by reference materials, if any |
| <input checked="" type="checkbox"/> Cover letter | <input type="checkbox"/> Authority with history of the rule |
| <input type="checkbox"/> Affidavit | <input type="checkbox"/> Public cost |
| <input type="checkbox"/> Forms, number of pages _____ | <input type="checkbox"/> Private cost |
| <input type="checkbox"/> Fiscal notes | <input type="checkbox"/> Hearing and comment period |

C. RULEMAKING ACTION TO BE TAKEN

- ☐ Emergency Rulemaking, (check one) ☐ rule ☐ amendment ☐ rescission ☐ termination
MUST include effective date
- ☐ Proposed Rulemaking (check one) ☐ rule ☐ amendment ☐ rescission
- ☒ Order of Rulemaking (check one) ☒ rule ☐ amendment ☐ rescission ☐ termination
MUST complete page 2 of this transmittal
- ☐ Withdrawal (check one) ☐ rule ☐ amendment ☐ rescission ☐ emergency
- ☐ Rule action notice
- ☐ In addition
- ☐ Rule under consideration

D. SPECIFIC INSTRUCTIONS: Please indicate any special instructions (e.g., publication date preference, identify material to be incorporated by reference, or forms included herein).

JCAR Stamp

NOTE: ALL changes MUST be specified here in order for those changes to be published in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.

RULE TRANSMITTAL (PAGE 2)

E. ORDER OF RULEMAKING: Rule Number _____

1a. Effective Date for the Order

☒ Statutory 30 days

Specific date _____

1b. Does the Order of Rulemaking contain changes to the rule text?

☐ YES

☒ NO

1c. If the answer is YES, please complete section F. If the answer is NO, **STOP** here.

F. Please provide a complete list of the changes in the rule text for the order of rulemaking, indicating the specific section, subsection, paragraph, subparagraph, part, etc., where each change is found. It is especially important to identify the parts of the rule that are being deleted in this order of rulemaking. This is not a reprinting of your order, but an explanation of what sections, subsections, etc. have been changed since the original proposed rule was filed.

(Start text here. If text continues to a third page, insert a continuous section break and, in section 3, delete the footer text. DO NOT delete the header, however.)

NOTE: ALL changes MUST be specified here in order for those changes to be made in the rule as published in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.



Commissioners
KELVIN L. SIMMONS
Chair
CONNIE MURRAY
SHEILA LUMPE
STEVE GAW
BRYAN FORBIS

Missouri Public Service Commission

POST OFFICE BOX 360
JEFFERSON CITY, MISSOURI 65102
573-751-3234
573-751-1847 (Fax Number)
<http://www.psc.state.mo.us>
January 23, 2003

ROBERT J. QUINN, JR.
Executive Director
WESS A. HENDERSON
Director, Utility Operations
ROBERT SCHALLENBERG
Director, Utility Services
DONNA M. PRENGER
Director, Administration
DALE HARDY ROBERTS
Secretary/Chief Regulatory Law Judge
DANA K. JOYCE
General Counsel

Mr. Matt Blunt
Secretary of State
Administrative Rules Division
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Blunt,

RE: 4 CSR 240-3.245 - Annual Report Filing Requirements for Gas Utilities

CERTIFICATION OF ADMINISTRATIVE RULE

I do hereby certify that the attached is an accurate and complete copy of the order rulemaking lawfully submitted by the Missouri Public Service Commission on this 23rd day of January 2003.

Statutory Authority: Sections 393.140(11), 386.250(6) and 536.016(1)

If there are any questions regarding the content of the rule, please contact:

Cliff E. Snodgrass
200 Madison Street, Suite 800
P. O. Box 360, Jefferson City, MO 65101
(573) 751-3966
cliffsnodgrass@psc.state.mo.us

Sincerely yours,

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

DHR:CES:rr

Enclosures: Transmittal Form, Order of Rulemaking & 3.5" Diskette

Title 4 – DEPARTMENT OF ECONOMIC DEVELOPMENT
Division 240 – Public Service Commission
Chapter 3 – Filing and Reporting Requirements

RECEIVED

JAN 23 2003

SECRETARY OF STATE
ADMINISTRATIVE RULES

ORDER OF RULEMAKING

By the authority vested in the Missouri Public Service Commission under sections 386.250 and 393.140, RSMo 2000, as currently supplemented, the commission adopts a rule as follows:

4 CSR 240-3.245 Annual Report Filing Requirements for Gas Utilities is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on September 16, 2002 (27 MoReg 1604). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

RULE TRANSMITTAL (

MATT BLUNT
Secretary of State
Administrative Rules Division
RULE TRANSMITTAL

RECEIVED
 *Administrative Rules Stamp

JAN 23 2003

SECRETARY OF STATE
ADMINISTRATIVE RULES

A "SEPARATE" rule transmittal sheet must be used for EACH individual rulemaking. —

A. Rule Number Chapter 4 CSR 240-3.255
 Diskette File Name Orders of Rulemaking - Chapter 3 Word 2000
 Name of Person to call with questions about this rule:
 Content Cliff E. Snodgrass & Dale Johansen Phone 573-751-3966 FAX 573-751-9285
 Data Entry Rosemarie Riedl Phone 573-751-7468 FAX Same as above
 Email Address cliffsnodgrass@psc.state.mo.us or dalejohansen@psc.state.mo.us
 Interagency Mailing Address Governor Office Building, 200 Madison St., 8th Floor, Jefferson City, MO
 Statutory Authority 393.140(11), 386.250(6), 536.016(1) Current RSMo date 2000
 Date Filed With the Joint Committee on Administrative Rules Exempt per Sections 536.024 and 536.037, RSMo 2000, and Executive Order No. 97-97 (June 27, 1997)

B. CHECK, IF INCLUDED:

- | | |
|--|---|
| <input checked="" type="checkbox"/> This transmittal completed | <input type="checkbox"/> Incorporation by reference materials, if any |
| <input checked="" type="checkbox"/> Cover letter | <input type="checkbox"/> Authority with history of the rule |
| <input type="checkbox"/> Affidavit | <input type="checkbox"/> Public cost |
| <input type="checkbox"/> Forms, number of pages _____ | <input type="checkbox"/> Private cost |
| <input type="checkbox"/> Fiscal notes | <input type="checkbox"/> Hearing and comment period |

C. RULEMAKING ACTION TO BE TAKEN

- ☐ Emergency Rulemaking, (check one) ☐ rule ☐ amendment ☐ rescission ☐ termination
MUST include effective date _____
- ☐ Proposed Rulemaking (check one) ☐ rule ☐ amendment ☐ rescission
- ☒ Order of Rulemaking (check one) ☒ rule ☐ amendment ☐ rescission ☐ termination
MUST complete page 2 of this transmittal
- ☐ Withdrawal (check one) ☐ rule ☐ amendment ☐ rescission ☐ emergency
- ☐ Rule action notice
- ☐ In addition
- ☐ Rule under consideration

D. SPECIFIC INSTRUCTIONS: Please indicate any special instructions (e.g., publication date preference, identify material to be incorporated by reference, or forms included herein).

JCAR Stamp

NOTE: ALL changes MUST be specified here in order for those changes to be published in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.

RULE TRANSMITTAL (PAGE 2)

E. ORDER OF RULEMAKING: Rule Number _____

1a. Effective Date for the Order

☒ Statutory 30 days

Specific date _____

1b. Does the Order of Rulemaking contain changes to the rule text?

☐ YES

☒ NO

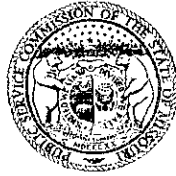
1c. If the answer is YES, please complete section F. If the answer is NO, **STOP** here.

F. Please provide a complete list of the changes in the rule text for the order of rulemaking, indicating the specific section, subsection, paragraph, subparagraph, part, etc., where each change is found. It is especially important to identify the parts of the rule that are being deleted in this order of rulemaking. This is not a reprinting of your order, but an explanation of what sections, subsections, etc. have been changed since the original proposed rule was filed.

(Start text here. If text continues to a third page, insert a continuous section break and, in section 3, delete the footer text. DO NOT delete the header, however.)

NOTE: ALL changes MUST be specified here in order for those changes to be made in the rule as published in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.



Commissioners
KELVIN L. SIMMONS
Chair
CONNIE MURRAY
SHEILA LUMPE
STEVE GAW
BRYAN FORBIS

Missouri Public Service Commission

POST OFFICE BOX 360
JEFFERSON CITY, MISSOURI 65102
573-751-3234
573-751-1847 (Fax Number)
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January 23, 2003

ROBERT J. QUINN, JR.
Executive Director
WESS A. HENDERSON
Director, Utility Operations
ROBERT SCHALLENBERG
Director, Utility Services
DONNA M. PRENGER
Director, Administration
DALE HARDY ROBERTS
Secretary/Chief Regulatory Law Judge
DANA K. JOYCE
General Counsel

Mr. Matt Blunt
Secretary of State
Administrative Rules Division
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Blunt,

RE: 4 CSR 240-3.255 - Filing Requirements for Gas Utility Promotional Practices

CERTIFICATION OF ADMINISTRATIVE RULE

I do hereby certify that the attached is an accurate and complete copy of the order rulemaking lawfully submitted by the Missouri Public Service Commission on this 23rd day of January 2003.

Statutory Authority: Sections 393.140(11), 386.250(6) and 536.016(1)

If there are any questions regarding the content of the rule, please contact:

Cliff E. Snodgrass
200 Madison Street, Suite 800
P. O. Box 360, Jefferson City, MO 65101
(573) 751-3966
cliffsnodgrass@psc.state.mo.us

Sincerely yours,

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

DHR:CES:rr
Enclosures: Transmittal Form, Order of Rulemaking & 3.5" Diskette

Title 4 – DEPARTMENT OF ECONOMIC DEVELOPMENT
Division 240 – Public Service Commission
Chapter 3 – Filing and Reporting Requirements

RECEIVED

JAN 23 2003

SECRETARY OF STATE
ADMINISTRATIVE RULES

ORDER OF RULEMAKING

By the authority vested in the Missouri Public Service Commission under section 386.250, RSMo 2000, as currently supplemented, the commission adopts a rule as follows:

4 CSR 240-3.255 Filing Requirements for Gas Utility Promotional Practices is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on September 16, 2002 (27 MoReg 1605). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

*Administrative Rules Stamp

MATT BLUNT
Secretary of State
Administrative Rules Division
RULE TRANSMITTAL

RECEIVED

JAN 23 2003

**SECRETARY OF STATE
ADMINISTRATIVE RULES**

A “SEPARATE” rule transmittal sheet must be used for EACH individual rulemaking.

A. Rule Number Chapter 4 CSR 240-3.270
 Diskette File Name Orders of Rulemaking - Chapter 3 Rules Word 2000
 Name of Person to call with questions about this rule:
 Content Cliff E. Snodgrass & Dale Johansen Phone 573-751-3966 FAX 573-751-9285
 Data Entry Rosemarie Riedl Phone 573-751-7468 FAX Same as above
 Email Address cliffsnodgrass@psc.state.mo.us or dalejohansen@psc.state.mo.us
 Interagency Mailing Address Governor Office Building, 200 Madison St., 8th Floor, Jefferson City, MO
 Statutory Authority 393.140(11), 386.250(6), 536.016(1) Current RSMo date 2000
 Date Filed With the Joint Committee on Administrative Rules Exempt per Sections 536.024 and 536.037, RSMo 2000, and Executive Order No. 97-97 (June 27, 1997)

B. CHECK, IF INCLUDED:

- | | | | |
|-------------------------------------|-----------------------------|--------------------------|--|
| <input checked="" type="checkbox"/> | This transmittal completed | <input type="checkbox"/> | Incorporation by reference materials, if any |
| <input checked="" type="checkbox"/> | Cover letter | <input type="checkbox"/> | Authority with history of the rule |
| <input type="checkbox"/> | Affidavit | <input type="checkbox"/> | Public cost |
| <input type="checkbox"/> | Forms, number of pages ____ | <input type="checkbox"/> | Private cost |
| <input type="checkbox"/> | Fiscal notes | <input type="checkbox"/> | Hearing and comment period |

C. RULEMAKING ACTION TO BE TAKEN

- ☐ Emergency Rulemaking, (check one) ☐ rule ☐ amendment ☐ rescission ☐ termination
MUST include effective date _____
- ☐ Proposed Rulemaking (check one) ☐ rule ☐ amendment ☐ rescission
- ☒ Order of Rulemaking (check one) ☒ rule ☐ amendment ☐ rescission ☐ termination
MUST complete page 2 of this transmittal
- ☐ Withdrawal (check one) ☐ rule ☐ amendment ☐ rescission ☐ emergency
- ☐ Rule action notice
- ☐ In addition
- ☐ Rule under consideration

D. SPECIFIC INSTRUCTIONS: Please indicate any special instructions (e.g., publication date preference, identify material to be incorporated by reference, or forms included herein).

[illegible]

JCAR Stamp

NOTE: ALL changes MUST be specified here in order for those change
in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.

RULE TRANSMITTAL (PAGE 2)

E. ORDER OF RULEMAKING: Rule Number _____

1a. Effective Date for the Order

☒ Statutory 30 days

Specific date _____

1b. Does the Order of Rulemaking contain changes to the rule text?

☒ YES

☐ NO

1c. If the answer is YES, please complete section F. If the answer is NO, STOP here.

- F.** Please provide a complete list of the changes in the rule text for the order of rulemaking, indicating the specific section, subsection, paragraph, subparagraph, part, etc., where each change is found. It is especially important to identify the parts of the rule that are being deleted in this order of rulemaking. This is not a reprinting of your order, but an explanation of what sections, subsections, etc. have been changed since the original proposed rule was filed.

(Start text here. If text continues to a third page, insert a continuous section break and, in section 3, delete the footer text. DO NOT delete the header, however.)

Summary of Changes for 3.270

The changes to this rule consist of modifying the title of the rule, modifying the purpose statement of the rule, reorganizing the rule in its entirety, which includes the deletion of one of the original sections in the rule, and correcting a typographical error in the last section of the rule. Specifically, the following changes have been made to this rule.

1. The title of the rule has been modified by changing the word "Filing" to "Submission".
2. The purpose statement has been modified to more accurately indicate that this is a "reference" rule rather than a rule that imposes any additional requirements.
3. The rule has been reorganized to more accurately reflect that this is a "reference" rule rather than a rule that imposes any additional requirements. This reorganization consists of splitting what was originally section (1) of the rule into two sections and taking what was originally sections (2) thru (10) and placing them into the new section (2) as paragraphs, except that the original section (4) has been deleted.
4. In what was originally section (10), and is now paragraph (2)(H), the term "yard line" has been changed to "yard lines".

NOTE: ALL changes MUST be specified here in order for those changes to be made in the rule as published in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.



Commissioners
KELVIN L. SIMMONS
Chair
CONNIE MURRAY
SHEILA LUMPE
STEVE GAW
BRYAN FORBIS

Missouri Public Service Commission

POST OFFICE BOX 360
JEFFERSON CITY, MISSOURI 65102
573-751-3234
573-751-1847 (Fax Number)
<http://www.psc.state.mo.us>
January 23, 2003

ROBERT J. QUINN, JR.
Executive Director
WESS A. HENDERSON
Director, Utility Operations
ROBERT SCHALLENBERG
Director, Utility Services
DONNA M. PRENGER
Director, Administration
DALE HARDY ROBERTS
Secretary/Chief Regulatory Law Judge
DANA K. JOYCE
General Counsel

Mr. Matt Blunt
Secretary of State
Administrative Rules Division
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Blunt,

**RE: 4 CSR 240-3.270 - Filing Requirements Regarding Plans, Procedures and Programs
for Transportation of Natural Gas by Pipeline**

CERTIFICATION OF ADMINISTRATIVE RULE

I do hereby certify that the attached is an accurate and complete copy of the order rulemaking lawfully submitted by the Missouri Public Service Commission on this 23rd day of January 2003.

Statutory Authority: Sections 393.140(11), 386.250(6) and 536.016(1)

If there are any questions regarding the content of the rule, please contact:

Cliff E. Snodgrass
200 Madison Street, Suite 800
P. O. Box 360, Jefferson City, MO 65101
(573) 751-3966
cliffsnodgrass@psc.state.mo.us

Sincerely yours,

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

DHR:CES:rr

Enclosures: Transmittal Form, Order of Rulemaking & 3.5" Diskette

Title 4 – DEPARTMENT OF ECONOMIC DEVELOPMENT
Division 240 – Public Service Commission
Chapter 3 – Filing and Reporting Requirements

RECEIVED

JAN 23 2003

ORDER OF RULEMAKING

SECRETARY OF
ADMINISTRATIVE RULES

By the authority vested in the Missouri Public Service Commission under section 386.250, RSMo 2000, as currently supplemented, the commission adopts a rule as follows:

**4 CSR 240-3.270 Filing Requirements Regarding Plans, Procedures and
Programs for Transportation of Natural Gas by Pipeline is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on September 16, 2002 (27 MoReg 1606-1607). Those sections with changes are reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The commission received written comments from two entities regarding this proposed rule. The comments focused on the issue of whether this rule is a "reference" or "sign post" rule or whether it imposes requirements not currently found in the commission's rules. The period for receiving written comments on this proposed rule ended on October 16, 2002. The commission held a public hearing on this proposed rule on October 25, 2002, but received no comments regarding the rule at that hearing.

COMMENTS: The first entity that submitted comments on this proposed rule noted that the rule appears to be a "reference" rule that merely refers the reader to other rules. Accordingly, that entity also requested that the commission confirm that the language in this rule does not place independent obligations on gas corporations outside of the obligations contained in the rules to which reference is made.

RESPONSE AND EXPLANATION OF CHANGE: The commission confirms that this proposed rule is a "reference" rule that is only intended to refer the reader to other rules, and confirms that this rule does not place independent obligations on gas corporations outside of the obligations contained in the rules to which reference is made. Additionally, the commission is making changes to the proposed rule to clarify its intent.

COMMENTS: The second entity that submitted comments regarding this proposed rule submitted comments that are best summarized in several parts as follows. (1) The comments note that it is not clear whether the commission intended to make substantive changes in this proposed rule, and that there is nothing in the Purpose section of the rule to indicate that new requirements are being imposed. (2) The comments note that a concern about the proposed rule comes from the use of the phrase "must be submitted to commission personnel" in several sections of the rule, which is considered to be a new and vague provision. The comments further state that the definition of the term "designated commission personnel" found in 3.200(9) is a new definition. (3) The comments note that the proposed rule does not state when any of the required submissions must be made, only that it requires them to be made. (4) The comments note that the proposed rule was apparently intended as a "signpost" for several requirements in another existing rule, 4 CSR-240-40.030. (5) Regarding the comments summarized in items (1) thru (4) above, the comments suggest that the commission change the proposed rule to include a reference where a reader of the rules should go to find the actual submission requirements, as has been done in other instances in other proposed rules. (6) Lastly, the comments note an apparent typographical error in section (10) of the proposed rule, in that the term "yard line" should be "yard lines".

RESPONSE AND EXPLANATION OF CHANGE: The commission's response to the above comments will be offered for each group of comments set out above. (1) In response to these comments, the commission notes that there was no intention to make substantive changes to existing requirements by promulgating this rule, and affirmatively states that no new requirements will be imposed by this rule going into effect. (2) In response to these comments, the commission notes that the phrase "must be submitted to commission personnel" is a phrase that is currently used in commission rules pertaining to the subject matter of the proposed rule. Additionally, the commission notes that the term "designated commission personnel" is a term that is already defined in commission rules pertaining to the subject matter of the proposed rule. Specifically, the subject phrase and term are used/included in certain sections of 4 CSR 240-40.030. (3) The commission acknowledges that the proposed rule does not contain any specific information regarding when the required submissions must be made, but notes that the timing of the submissions is contained in the rules referenced in the general section of the proposed rule. (4) The commission notes that the proposed rule is intended as a "signpost" to various requirements in 4 CSR 240-40.030. The commission further notes that it believes it is appropriate to include such

a signpost in this rule, in that its intent in developing Chapter 3 is to include in Chapter 3 at least a reference to all filing and submission requirements contained in other commission rules. (5) The commission agrees that certain changes to the proposed rule would help clarify where a reader should go to find the actual submission requirements that are the subject of the proposed rule. (6) The commission notes that the comments submitted are accurate and will correct the referenced typographical error. Based on the foregoing, the commission is modifying the title of and purpose statement for the proposed rule and reorganizing the rule to clarify its "signpost" intent, and is also correcting the noted typographical error.

4 CSR 240-3.270 Submission Requirements Regarding Plans, Procedures and Programs for the Transportation of Natural Gas by Pipeline

PURPOSE: This rule sets forth the plans, procedures and programs related to the transportation of natural gas by pipelines, which are to be submitted to designated commission personnel under various provisions of 4 CSR 240-40.

(1) General. All gas systems under the pipeline safety jurisdiction of the Missouri Public Service Commission must establish and submit welding procedures, joining procedures and construction specifications and standards to designated commission personnel before construction activities begin. All other plans, procedures and programs required by rules 4 CSR 240-40.020, 4 CSR 240-40.030, and 4 CSR 240-40.080 must be established and submitted to designated commission personnel before the system is put into operation.

(2) The plans, procedures and programs listed in subsections (A) – (H) below must be submitted to designated commission personnel in accordance with 4 CSR 240-40.030(1)(J) and maintained and modified in accordance with 4 CSR 240-40.030(1)(G).

(A) Written welding procedures in accordance with 4 CSR 240-40.030(5);

(B) Written procedures for joining pipelines other than by welding in accordance with 4 CSR 240-40.030(6)(B) and (6)(G);

(C) Written procedures for controlling corrosion in accordance with the operation and maintenance requirements contained in 4 CSR 240-40.030(9) in accordance with 4 CSR 240-40.030(9)(C);

(D) A manual of written procedures for conducting operations and maintenance activities and for emergency response in accordance with 4 CSR 240-40.030(12)(C). Transmission lines that are not exempt under 4 CSR 240-40.030(12)(C)3.E. must also submit a manual that includes procedures for handling abnormal operations in accordance with 4 CSR 240-40.030(12)(C)3.;

(E) A written operator qualification program for individuals performing covered tasks on a pipeline facility in accordance with 4 CSR 240-40.030(12)(D);

(F) A written program to prevent damage to pipelines by excavation activities in accordance with 4 CSR 240-40.030(12)(I)1.;

(G) Written procedures to minimize the hazard resulting from a gas pipeline emergency in accordance with 4 CSR 240-40.030(12)(J)1.; and

(H) Written programs for the replacement of unprotected steel service lines and yard lines and cast iron mains and the cathodic protection or replacement of unprotected steel mains in accordance with 4 CSR 240-40.030(15)(B).

RULE TRANSMITTAL (

MATT BLUNT
 Secretary of State
 Administrative Rules Division
 RULE TRANSMITTAL

*Administrative Rules Stamp

RECEIVED

JAN 23 2003

**SECRETARY OF STATE
 ADMINISTRATIVE RULES**

A "SEPARATE" rule transmittal sheet must be used for EACH individual rulemaking.

A. Rule Number Chapter 4 CSR 240-3.275
 Diskette File Name Orders of Rulemaking - Chapter 3 Word 2000
 Name of Person to call with questions about this rule:
 Content Cliff E. Snodgrass & Dale Johansen Phone 573-751-3966 FAX 573-751-9285
 Data Entry Rosemarie Riedl Phone 573-751-7468 FAX Same as above
 Email Address cliffsnodgrass@psc.state.mo.us or dalejohansen@psc.state.mo.us
 Interagency Mailing Address Governor Office Building, 200 Madison St., 8th Floor, Jefferson City, MO
 Statutory Authority 393.140(11), 386.250(6), 536.016(1) Current RSMo date 2000
 Date Filed With the Joint Committee on Administrative Rules Exempt per Sections 536.024 and 536.037, RSMo 2000, and Executive Order No. 97-97 (June 27, 1997)

B. CHECK, IF INCLUDED:

- | | |
|--|---|
| <input checked="" type="checkbox"/> This transmittal completed | <input type="checkbox"/> Incorporation by reference materials, if any |
| <input checked="" type="checkbox"/> Cover letter | <input type="checkbox"/> Authority with history of the rule |
| <input type="checkbox"/> Affidavit | <input type="checkbox"/> Public cost |
| <input type="checkbox"/> Forms, number of pages <u> </u> | <input type="checkbox"/> Private cost |
| <input type="checkbox"/> Fiscal notes | <input type="checkbox"/> Hearing and comment period |

C. RULEMAKING ACTION TO BE TAKEN

- ☐ Emergency Rulemaking, (check one) ☐ rule ☐ amendment ☐ rescission ☐ termination
MUST include effective date
- ☐ Proposed Rulemaking (check one) ☐ rule ☐ amendment ☐ rescission
- ☒ Order of Rulemaking (check one) ☒ rule ☐ amendment ☐ rescission ☐ termination
MUST complete page 2 of this transmittal
- ☐ Withdrawal (check one) ☐ rule ☐ amendment ☐ rescission ☐ emergency
- ☐ Rule action notice
- ☐ In addition
- ☐ Rule under consideration

D. SPECIFIC INSTRUCTIONS: Please indicate any special instructions (e.g., publication date preference, identify material to be incorporated by reference, or forms included herein).

JCAR Stamp

NOTE: ALL changes MUST be specified here in order for those changes to be published in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.

RULE TRANSMITTAL (PAGE 2)

E. ORDER OF RULEMAKING: Rule Number _____

1a. Effective Date for the Order

☒ Statutory 30 days

Specific date _____

1b. Does the Order of Rulemaking contain changes to the rule text?

☐ YES

☒ NO

1c. If the answer is YES, please complete section F. If the answer is NO, **STOP** here.

F. Please provide a complete list of the changes in the rule text for the order of rulemaking, indicating the specific section, subsection, paragraph, subparagraph, part, etc., where each change is found. It is especially important to identify the parts of the rule that are being deleted in this order of rulemaking. This is not a reprinting of your order, but an explanation of what sections, subsections, etc. have been changed since the original proposed rule was filed.

(Start text here. If text continues to a third page, insert a continuous section break and, in section 3, delete the footer text. DO NOT delete the header, however.)

NOTE: ALL changes MUST be specified here in order for those changes to be made in the rule as published in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.



Commissioners
KELVIN L. SIMMONS
Chair
CONNIE MURRAY
SHEILA LUMPE
STEVE GAW
BRYAN FORBIS

Missouri Public Service Commission

POST OFFICE BOX 360
JEFFERSON CITY, MISSOURI 65102
573-751-3234
573-751-1847 (Fax Number)
<http://www.psc.state.mo.us>
January 23, 2003

ROBERT J. QUINN, JR.
Executive Director
WESS A. HENDERSON
Director, Utility Operations
ROBERT SCHALLENBERG
Director, Utility Services
DONNA M. PRENGER
Director, Administration
DALE HARDY ROBERTS
Secretary/Chief Regulatory Law Judge
DANA K. JOYCE
General Counsel

Mr. Matt Blunt
Secretary of State
Administrative Rules Division
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Blunt,

RE: 4 CSR 240-3.275 - Submission Requirements for Gas Utility Depreciation Studies

CERTIFICATION OF ADMINISTRATIVE RULE

I do hereby certify that the attached is an accurate and complete copy of the order rulemaking lawfully submitted by the Missouri Public Service Commission on this 23rd day of January 2003.

Statutory Authority: Sections 393.140(11), 386.250(6) and 536.016(1)

If there are any questions regarding the content of the rule, please contact:

Cliff E. Snodgrass
200 Madison Street, Suite 800
P. O. Box 360, Jefferson City, MO 65101
(573) 751-3966
cliffsnodgrass@psc.state.mo.us

Sincerely yours,

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

DHR:CES:rr
Enclosures: Transmittal Form, Order of Rulemaking & 3.5" Diskette

Title 4 – DEPARTMENT OF ECONOMIC DEVELOPMENT

Division 240 – Public Service Commission

Chapter 3 – Filing and Reporting Requirements

RECEIVED

JAN 23 2003

ORDER OF RULEMAKING

SECRETARY OF STATE
ADMINISTRATIVE RULES

By the authority vested in the Missouri Public Service Commission under section 386.250, RSMo 2000, as currently supplemented, the commission adopts a rule as follows:

4 CSR 240-3.275 Submission Requirements for Gas Utility Depreciation Studies is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on September 16, 2002 (27 MoReg 1607-1608). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The commission received written comments from one entity regarding this proposed rule. The comments focused on a possible duplication of language in regard to another rule. The period for receiving written comments on this proposed rule ended on October 16, 2002. The commission held a public hearing on this proposed rule on October 25, 2002, but received no comments regarding the rule at that hearing.

COMMENTS: The entity that submitted comments regarding this proposed rule noted that there may an unnecessary duplication of language in this rule and in rule 3.235.

RESPONSE: The commission notes that while these two rules deal with similar subjects, they deal with different situations and thus the referenced language is necessary in both rules. Based on this, no changes have been made to the proposed rule as a result of these comments.

RULE TRANSMITTAL

*Administrative Rules Stamp

RECEIVED

JAN 23 2003

**SECRETARY OF STATE
ADMINISTRATIVE RULES**

MATT BLUNT
Secretary of State
Administrative Rules Division
RULE TRANSMITTAL

A "SEPARATE" rule transmittal sheet must be used for EACH individual rulemaking.

A. Rule Number Chapter 4 CSR 240-3.280
Diskette File Name Orders of Rulemaking - Chapter 3 Word 2000
Name of Person to call with questions about this rule:
Content Cliff E. Snodgrass & Dale Johansen Phone 573-751-3966 FAX 573-751-9285
Data Entry Rosemarie Riedl Phone 573-751-7468 FAX Same as above
Email Address cliffsnodgrass@psc.state.mo.us or dalejohansen@psc.state.mo.us
Interagency Mailing Address Governor Office Building, 200 Madison St., 8th Floor, Jefferson City, MO
Statutory Authority 393.140(11), 386.250(6), 536.016(1) Current RSMo date 2000
Date Filed With the Joint Committee on Administrative Rules Exempt per Sections 536.024 and 536.037, RSMo 2000, and Executive Order No. 97-97 (June 27, 1997)

B. CHECK, IF INCLUDED:

- | | |
|--|---|
| <input checked="" type="checkbox"/> This transmittal completed | <input type="checkbox"/> Incorporation by reference materials, if any |
| <input checked="" type="checkbox"/> Cover letter | <input type="checkbox"/> Authority with history of the rule |
| <input type="checkbox"/> Affidavit | <input type="checkbox"/> Public cost |
| <input type="checkbox"/> Forms, number of pages ____ | <input type="checkbox"/> Private cost |
| <input type="checkbox"/> Fiscal notes | <input type="checkbox"/> Hearing and comment period |

C. RULEMAKING ACTION TO BE TAKEN

- ☐ Emergency Rulemaking, (check one) ☐ rule ☐ amendment ☐ rescission ☐ termination
MUST include effective date
- ☐ Proposed Rulemaking (check one) ☐ rule ☐ amendment ☐ rescission
- ☒ Order of Rulemaking (check one) ☒ rule ☐ amendment ☐ rescission ☐ termination
MUST complete page 2 of this transmittal
- ☐ Withdrawal (check one) ☐ rule ☐ amendment ☐ rescission ☐ emergency
- ☐ Rule action notice
- ☐ In addition
- ☐ Rule under consideration

D. SPECIFIC INSTRUCTIONS: Please indicate any special instructions (e.g., publication date preference, identify material to be incorporated by reference, or forms included herein).

JCAR Stamp

NOTE: ALL changes MUST be specified here in order for those changes to be published in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.

RULE TRANSMITTAL (PAGE 2)

E. ORDER OF RULEMAKING: Rule Number _____

1a. Effective Date for the Order

☒ Statutory 30 days

Specific date _____

1b. Does the Order of Rulemaking contain changes to the rule text?

☐ YES

☒ NO

1c. If the answer is YES, please complete section F. If the answer is NO, **STOP** here.

F. Please provide a complete list of the changes in the rule text for the order of rulemaking, indicating the specific section, subsection, paragraph, subparagraph, part, etc., where each change is found. It is especially important to identify the parts of the rule that are being deleted in this order of rulemaking. This is not a reprinting of your order, but an explanation of what sections, subsections, etc. have been changed since the original proposed rule was filed.

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NOTE: ALL changes MUST be specified here in order for those changes to be made in the rule as published in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.



Commissioners
KELVIN L. SIMMONS
Chair
CONNIE MURRAY
SHEILA LUMPE
STEVE GAW
BRYAN FORBIS

Missouri Public Service Commission

POST OFFICE BOX 360
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January 23, 2003

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DALE HARDY ROBERTS
Secretary/Chief Regulatory Law Judge
DANA K. JOYCE
General Counsel

Mr. Matt Blunt
Secretary of State
Administrative Rules Division
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Blunt,

RE: 4 CSR 240-3.280 - Submission Requirements Regarding Gas Utility Written Drug and Alcohol Testing Plans

CERTIFICATION OF ADMINISTRATIVE RULE

I do hereby certify that the attached is an accurate and complete copy of the order rulemaking lawfully submitted by the Missouri Public Service Commission on this 23rd day of January 2003.

Statutory Authority: Sections 393.140(11), 386.250(6) and 536.016(1)

If there are any questions regarding the content of the rule, please contact:

Cliff E. Snodgrass
200 Madison Street, Suite 800
P. O. Box 360, Jefferson City, MO 65101
(573) 751-3966
cliffsnodgrass@psc.state.mo.us

Sincerely yours,

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

DHR:CES:rr

Enclosures: Transmittal Form, Order of Rulemaking & 3.5" Diskette

Title 4 – DEPARTMENT OF ECONOMIC DEVELOPMENT
Division 240 – Public Service Commission
Chapter 3 – Filing and Reporting Requirements

RECEIVED

JAN 23 2003

SECRETARY OF STATE
ADMINISTRATIVE RULES

ORDER OF RULEMAKING

By the authority vested in the Missouri Public Service Commission under section 386.250, RSMo 2000, as currently supplemented, the commission adopts a rule as follows:

**4 CSR 240-3.280 Submission Requirements Regarding Gas Utility
Written Drug and Alcohol Testing Plans is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on September 16, 2002 (27 MoReg 1608). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The commission received written comments from one entity regarding this proposed rule. The comments focused on whether this rule places additional obligations on gas corporations or whether it is simply a reference to other commission rules. The period for receiving written comments on this proposed rule ended on October 16, 2002. The commission held a public hearing on this proposed rule on October 25, 2002, but received no comments regarding the rule at that hearing.

COMMENTS: The entity that submitted comments regarding this proposed rule noted that the rule appears to be a "reference" rule that merely refers the reader to other rules, and requested that the commission confirm that the language in this rule does not place independent obligations on gas corporations outside of the obligations contained in the rules to which reference is made.

RESPONSE: The commission confirms that this proposed rule is a "reference" rule that is only intended to refer the reader to other rules, and confirms that this rule does not place independent obligations on gas corporations outside of the obligations contained in the rules to which reference is made. Based on the above, no changes have been made to the proposed rule as a result of these comments.